

2009 ADDENDUM TO THE
ENVIRONMENTAL IMPACT REPORT

San Quentin State Prison Condemned Inmate Complex Project

State Clearinghouse Number 2003122003



June 26, 2009

EDAW | AECOM

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ACRONYMS AND ABBREVIATIONS

afy	acre-feet per year
BAAQMD	Bay Area Air Quality Management District
BCDC	Bay Conservation and Development Commission
CDCR	California Department of Corrections and Rehabilitation (formerly the California Department of Corrections)
cfs	cubic feet per second
CIC	Condemned Inmate Complex
EIR	Environmental Impact Report
GHG	greenhouse gases
I-580	Interstate 580
LOS	level of service
MMWD	Marin Municipal Water District
NOD	Notice of Determination
RASP	Recycle and Salvage Program
SEIR	subsequent Environmental Impact Report
sf	square feet
SOHP	State Office of Historic Preservation
SQSP	San Quentin State Prison
SWPPP	stormwater pollution prevention plan
the CIC project	Condemned Inmate Complex at San Quentin State Prison Project

1 INTRODUCTION

1.1 BACKGROUND

HISTORY AND EIR BACKGROUND

In May 2005, the California Department of Corrections and Rehabilitation (CDCR) (formerly the California Department of Corrections) certified the Environmental Impact Report (EIR) (State Clearinghouse Number 2003122003) for the Condemned Inmate Complex at San Quentin State Prison Project (the CIC project), and approved the project. The adequacy of the EIR was challenged by Marin County; the Superior Court of Marin County upheld CDCR's certification and validity of the EIR. The CIC project approved in 2005 included a maximum of 1,408 beds for condemned inmates on a 40-acre site. The beds would have been located within four secured housing units surrounded by a lethal electrified fence. Other on-site improvements also were approved, including conversion of a medium security inmate housing unit ("H-Unit", 800 inmates) to warehouse, support services, and maintenance space. Net new employment (accounting for an employment reduction from conversion of H Unit) was estimated to be 489.

In November 2005, at the direction of the State Public Works Board, CDCR eliminated one of the four housing units, which reduced the CIC project capacity to 1,152 beds. Other, more minor changes also were made, including moving the location of warehouse and maintenance buildings and eliminating the conversion of the H Unit. Total estimated net employment for the modified CIC project was 505. Although a housing unit was removed, the associated reduction in employment was offset by retaining employees for the H Unit, hence the increase from 489 net new employees to 505. An Addendum to the 2005 CIC EIR was prepared in 2007 to determine if the change in the project would result in any new or more severe significant environmental effects. The Addendum concluded there would not be any new or more severe significant environmental effects, and it was approved by CDCR. The project was re-approved in April 2007; a Notice of Determination (NOD) was filed on April 6, 2007.

The EIR for the CIC project consists of the 2005 Final EIR, as modified by the 2007 CIC Addendum (collectively, the "EIR").

BAY CONSERVATION AND DEVELOPMENT COMMISSION CONSIDERATIONS

Portions of the CIC project, along with other facilities at San Quentin State Prison (SQSP), are situated along the shoreline of the San Francisco Bay. As described on page 4.4-3 of the DEIR, and as defined in California Government Code Section 66610, development within 100 feet of the mean high tide line is subject to the jurisdiction of the Bay Conservation and Development Commission (BCDC). For the purposes of the 2009 Addendum, this area will herein after be referred to in the document as the "BCDC shoreline zone." Refer to Appendix A for a description of how the BCDC shoreline zone was determined. While the majority of the 40-acre 2007 CIC site plan, as approved, is located outside the BCDC shoreline zone, elements of the site plan are within this area. These include:

- ▶ One Perimeter Guard Tower,
- ▶ West Gate Guard Post,
- ▶ Perimeter Security Fencing including Lethal Electric Fence,
- ▶ Conversion of Existing Open Drainage Channel to an Underground Storm Water Pipeline and Discharge Structure,

- ▶ Resurfacing Existing Shoreline Perimeter Road, and
- ▶ Construction Staging (temporary, for duration of construction period only).

BCDC is responsible for ensuring that projects within its jurisdiction provide maximum feasible public access, consistent with a proposed project. Because the project is an adult correctional facility, access to the site is restricted to public entry because of security concerns. The site of the CIC has been restricted to public entry for many decades because the property has been actively used as a state prison since the 1850's. Because the approved project would not alter existing access conditions to the site over the existing condition (a restricted access zone), the 2005 CIC EIR concluded that the project would not have a significant effect related to BCDC public access laws and regulations. Moreover, unrestricted public access is inconsistent with the site's use and project purpose. While no significant adverse effect was identified, CDCR was still required to obtain a Commission development permit for all elements of the project situated within the BCDC shoreline zone.

During the period between April 2007, when CDCR initially sought a BCDC shoreline zone development permit, and February 2009 the Department worked closely with BCDC staff and the Commission on recommendations for public access improvements and/or in lieu funding for the CIC project. In its application to the BCDC, CDCR identified an existing state-owned property, a pump house that used to send seawater to SQSP, at the edge of San Quentin Village that could provide an opportunity for enhanced public access consistent with the site's existing use and with the project. A plan was developed for the historic pump house site and it was reviewed by the BCDC Design Review Committee. Following a temporary suspension of work on the CIC permit, CDCR re-activated its request and appeared at a BCDC public hearing on December 18, 2008 to offer a revised version of a public access plan for the historic pump house site and a total of \$900,000 as "in lieu" funding. This funding could be used for local public access projects, including Marin County-proposed shoreline bicycle trail improvements at the adjacent Larkspur Ferry.

At a subsequent meeting on January 15, 2009, the BCDC declined to accept CDCR's public access proposal, indicating that the "in lieu" fee needed to be increased. CDCR returned before the Commission on February 5, 2009 with an enhanced "in lieu" fee offer (\$1,423,000), which also was supported by BCDC staff as being responsive to BCDC's obligation to provide maximum public access within its shoreline zone. The following summary reflects the results of the February 2009 hearing:

"The Commission held a public hearing on a permit application for improvements to the inmate confinement facilities at San Quentin State Prison in Marin County. As part of its application, the California Department of Corrections and Rehabilitation proposed to make \$100,000 in public access improvements at an historic pump house along the shoreline in San Quentin village and contribute \$1,423,000 to the Transportation Authority of Marin to partially fund a pedestrian and bicycle project in Larkspur. The Commission indicated it would not approve the permit unless \$3 million was made available for public access improvements. This proposal was not acceptable to the applicant, which withdrew the application." (BCDC Meeting Summary, February 5, 2009)."

While the meeting summary suggests the Commission would accept an "in lieu" amount of \$3,000,000, no formal vote was taken by the panel so it remains speculative if in fact BCDC would vote in the affirmative for CDCR's CIC development permit should the Department offer this much higher level of public access funding. Given the on-going uncertainty of securing a permit from BCDC, the state's current budgetary challenges, and the urgency of proceeding with the CIC, the Department believes its only prudent course is to realign affected portions of the project's approved 2007 CIC site plan so as to remove all proposed improvements from the area subject to BCDC jurisdiction.

1.2 WHY AN ADDENDUM IS THE APPROPRIATE CEQA DOCUMENT

CDCR proposes to now realign/relocate all features of the approved 2007 CIC site plan that are situated within or cross the BCDC shoreline zone. This objective will be achieved by the consolidation of the approved 2007 CIC site plan and/or by the realignment of certain features (e.g., the secure perimeter fence and a perimeter guard tower), the shortening of some features (e.g., the underground storm water pipeline), or by elimination of certain proposed buildings. Other minor changes to the interior of the site will also be documented. CDCR proposes to address these modifications to the current approved site 2007 plan in a second addendum to be known as the “2009 Addendum”. The 2009 Addendum follows the EIR certified for the CIC project, which as defined previously includes the 2005 CIC EIR and the 2007 CIC Addendum.

If, after certification of an EIR, altered conditions, changes, or additions to a project occur, CEQA provides three mechanisms to address these changes: a subsequent EIR (SEIR), a supplement to an EIR, and an addendum to an EIR.

Section 15162 of the State CEQA Guidelines describes the conditions under which a SEIR would be prepared. In summary, when an EIR has been certified for a project, no SEIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project that will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effect.
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - (A) The project would have one or more significant effects not discussed in the previous EIR.
 - (B) Significant effects previously examined would be substantially more severe than shown in the previous EIR.
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives.
 - (D) Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15163 of the State CEQA Guidelines states that a lead agency may choose to prepare a supplement to an EIR rather than a SEIR if:

- (1) any of the conditions described above for Section 15162 would require the preparation of a SEIR, and
- (2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

Section 15164 of the State CEQA Guidelines states that a lead agency may prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described above for Section 15162 calling for preparation of a SEIR have occurred.

The EIR consists of the following documents (all have been assigned State Clearinghouse Number 200312203): *San Quentin Condemned Inmate Complex Project, Draft EIR*, September 27, 2004; *San Quentin Condemned Inmate Complex Project, Response to Comments on the Draft EIR*, April 13, 2005 (the EIR was certified in May 2005), and the *San Quentin Condemned Inmate Complex Project, Addendum to the EIR* (April 2007). These documents are hereafter referred to together as the “CIC EIR”.

The 2007 CIC Addendum addressed several modifications to the project approved in 2005. Most notably, one of the four approved inmate housing units was removed, reducing inmate capacity from 1,408 to 1,152 beds. The “H-Unit”, which houses 1,000 Level II inmates, had been approved for partial conversion (800 of the 1,000 beds would have been converted) to warehouse, support services, and maintenance space in 2005; the 2007 CIC Addendum addressed retaining the H-Unit for inmate housing, and instead building the warehouse and maintenance facilities east of the CIC site. None of the changes substantially increased a significant impact, nor did the changes reduce to a less-than-significant level any impacts that had been identified in the 2005 CIC EIR. The project considered in the 2007 CIC Addendum was approved, and the modifications being considered now are based on the project approved through the 2007 CIC Addendum.

The differences between the 2007 CIC site plan, as described in the 2007 CIC Addendum, and the development proposal now being considered constitute changes consistent with Section 15164 that may be addressed in an addendum to an EIR. As described in Chapter 2 of this document, “Description of the Proposed Action,” and Chapter 3, “Affected Environment, Environmental Consequences, and Mitigation Measures,” none of the conditions described above for Section 15162 calling for preparation of a SEIR have occurred. In addition, the 2005 CIC EIR and 2007 CIC Addendum is still valid for assessing and mitigating identified environmental effects as a result of the project.

- ▶ All project facilities will still be constructed within the approved project site; however, the same project facilities will be constructed on a slightly smaller footprint.
- ▶ Employment and inmate population will be the same as previously approved.
- ▶ The square footage of new facilities will be slightly reduced.
- ▶ The height, mass, volume, and aesthetic design of all the primary project facilities (housing blocks, which are the majority of new construction and the most visible) will be unchanged. No other changes will alter the proposed appearance of structures to the extent they look different (than already approved) from any view points.
- ▶ CDCR perimeter security and prison design standards will still be met.

Therefore, and as further supported by the analysis in Chapter 3 of this document, changes to the project associated with the CIC project and any altered conditions since certification of the EIR in May 2005 and the 2007 CIC Addendum to the EIR would:

- ▶ not result in any new significant environmental effects, and
- ▶ not substantially increase the severity of previously identified effects.

In addition, no new information of substantial importance has arisen that shows that:

- ▶ the project would have new significant effects,

- ▶ the project would have substantially more severe effects,
- ▶ mitigation measures or alternatives previously found to be infeasible would in fact be feasible, or
- ▶ mitigation measures or alternatives that are considerably different from those analyzed in the SEIR would substantially reduce one or more significant effects on the environment.

Because minor changes to the approved 2007 CIC site plan are necessary to accommodate the realigned project, but none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a SEIR or a supplement to an EIR have occurred, CDCR finds that an addendum to the EIR for the CIC project, consistent with Section 15164 of the State CEQA Guidelines, is the appropriate mechanism to address the proposed project modifications.

2 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The CIC site is located on grounds of SQSP. SQSP is located on approximately 432 acres in Marin County, California, along the San Francisco Bay. The city of Larkspur borders part of the site. Exhibit 2-1 depicts the regional location and Exhibit 2-2 shows its subregional location. The proposed CIC would be located on 40 acres in the southwestern portion of the SQSP site.

2.2 APPROVED CONDEMNED INMATE COMPLEX PROJECT

The following describes the approved 2007 CIC site plan, which is now proposed to be realigned/ consolidated so as to remove all facilities and project-related activity out of the BCDC shoreline zone. The CIC site plan was originally approved in 2005, and was addressed in the certified 2005 CIC EIR. The CIC site plan was modified and addressed in the 2007 CIC Addendum, after which it was reapproved.

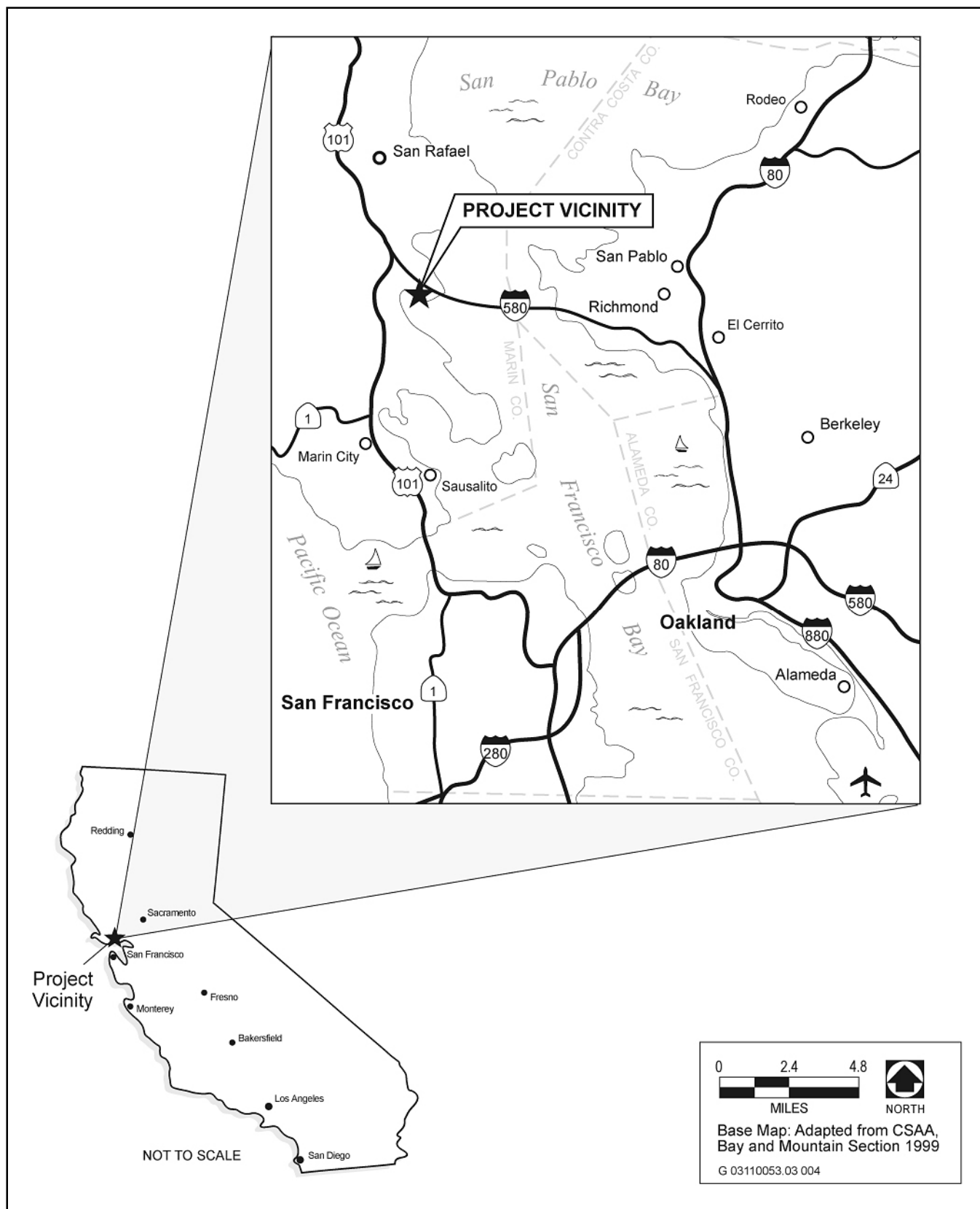
The approved 2005 CIC site plan included a maximum of 1,408 beds for condemned inmates on a 40-acre site. The beds would have been located within four secured housing units, surrounded by a lethal electrified fence, and with various support facilities, including a correctional treatment center (Exhibit 2-3).

The CIC would be located in the western portion of SQSP and would be physically separated from the main prison facilities by an outer patrol road, security fencing, and an inner patrol road. The CIC security fencing would consist of double cyclone fences topped with barbed tape and a lethal electrified fence located between the double fences. High-mast lighting, a central kitchen, a mental health services building, two facility program support services buildings, a complex services building, and a correctional treatment center would be constructed, providing space for the required services and programs. Other support elements located outside the secure perimeter of the CIC would include perimeter guard towers, a support services building, visitor/staff processing center, communications building, central building maintenance facility, warehouse and support services space, and adequate parking for visitors and employees. As approved in 2005, part of the existing “H-Unit,” located adjacent and east of the CIC site, was to be converted from inmate housing to warehouse facilities, support services, and maintenance space, reducing inmate population within the H-Unit from 1,000 to 200 inmates.

The modifications approved in 2007 removed one of four housing units from the site with the result that a maximum of 1,152 beds (768 cells) would be provided for condemned inmates (Exhibit 2-4). These changes resulted in a reduction in capacity of 256 inmates. The modifications also eliminated the previously approved partial conversion of H-Unit to warehouse facilities, with the result that it would continue to house 1,000 inmates. These modifications increased the total maximum number of inmates at SQSP (CIC project plus maximum capacity at existing SQSP) by 544 over the 2005 Final EIR, but this total was 256 less than considered in the Draft EIR (2004), and there was no increase in the severity of impacts as a result of this change.¹

A warehouse, central building maintenance, vehicle maintenance, and support services buildings would be constructed in a more central location at SQSP east of the CIC site. To accommodate these buildings, the 2007 CIC Addendum approved the demolition of two buildings: Building 53 and Building 54. The location of these buildings is depicted in Exhibit 2-5.

¹ The 2007 Addendum evaluated the differences in environmental effects associated with this change. CDCR had already concluded, in the 2005 Final EIR, that the *reduction* in the number of inmates associated with converting part of the H-Unit would not alter the significance of any impacts identified in the Draft EIR. Therefore, the same conclusion (no change in impact significance) was determined to be accurate for adding the inmates back when the 2007 Addendum was prepared, and the analysis in the 2007 Addendum supported this conclusion.



Source: California State Automobile Association, Bay and Mountain Section 1999, Adapted by EDAW 2009

Regional Location

Exhibit 2-1

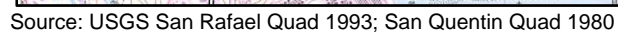
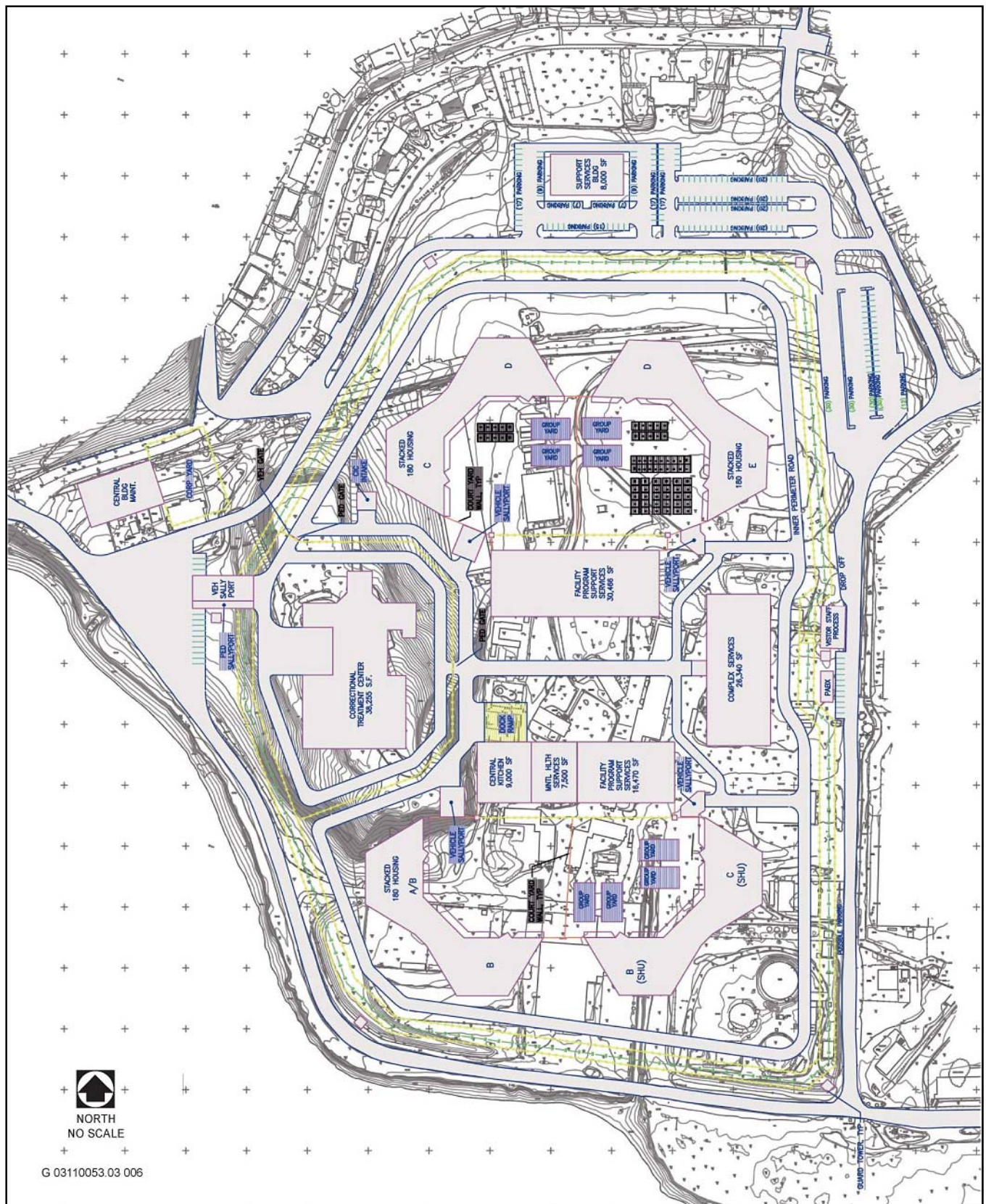


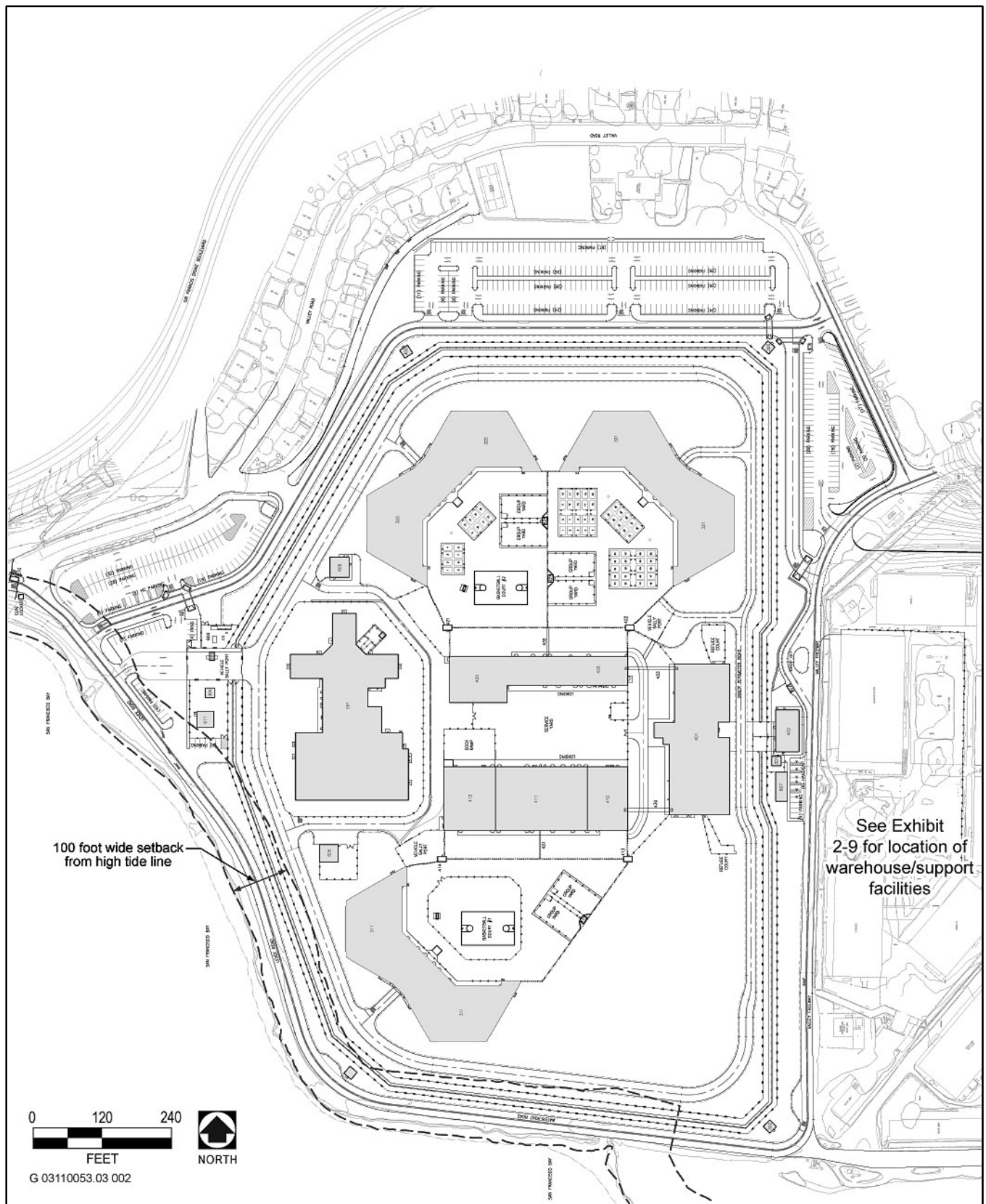
Exhibit 2-2



Source: Kitchell 2004

Condemned Inmate Complex Project Approved in 2005

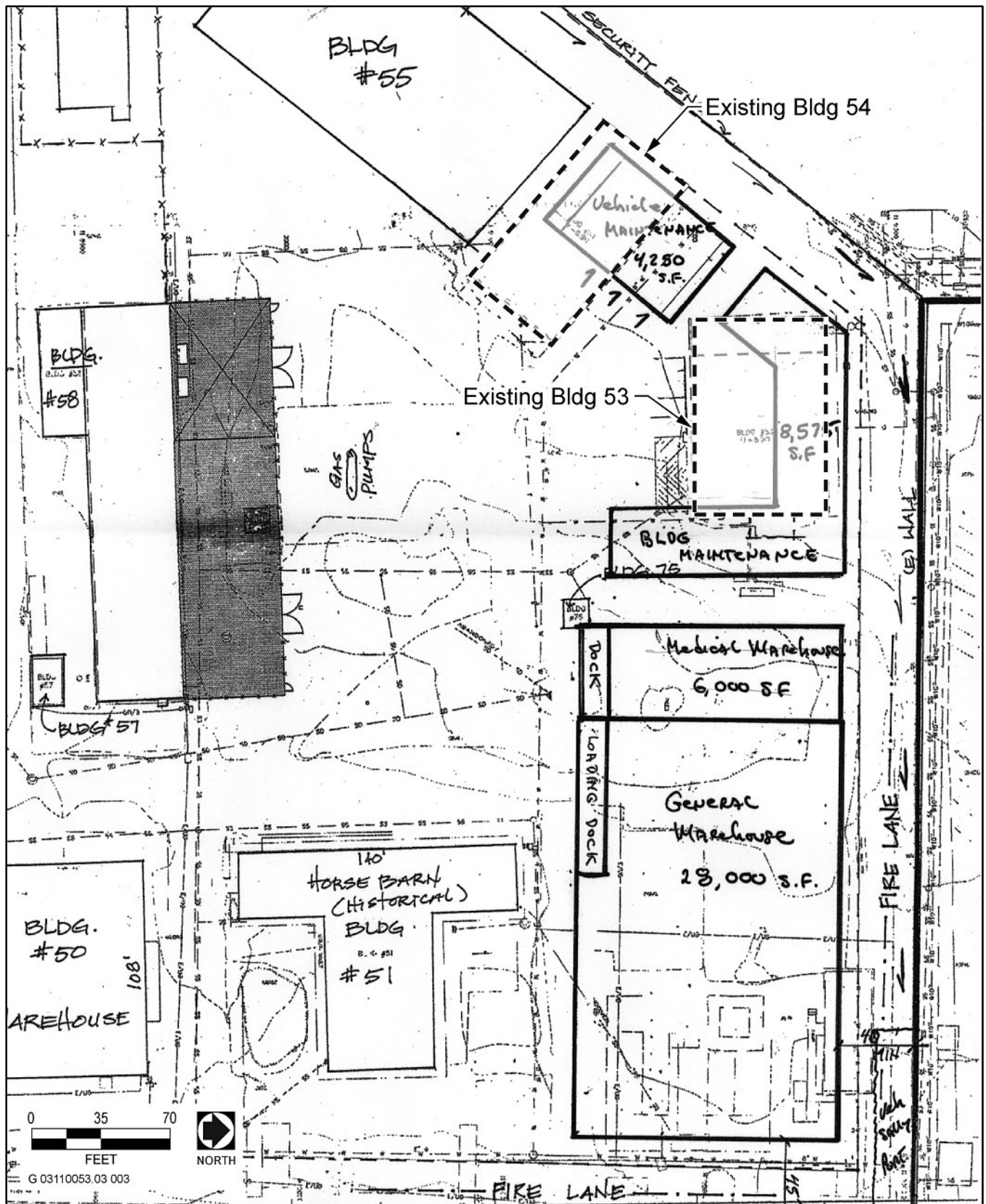
Exhibit 2-3



Source: Kitchell 2007; Winzler & Kelly 2009

Condemned Inmate Complex—Approved with 2007 CIC Addendum

Exhibit 2-4



Source: CDC 2007

Approved Warehouse/Support Facilities Plan in 2007 CIC Addendum

Exhibit 2-5

2.3 PROPOSED 2009 CIC PROJECT REALIGNMENT

CDCR proposes to realign elements of the 2007 CIC site plan to (1) remove all elements of the project from the BCDC shoreline zone and (2) document minor interior changes to support buildings. The site plan would be changed by consolidating and re-positioning the portion of the facility that borders on the shoreline zone. The proposed realignment and consolidation remain consistent with the budgetary authority for the project and the department's design guidelines. The following is a list of the proposed changes to the approved 2007 CIC site plan:

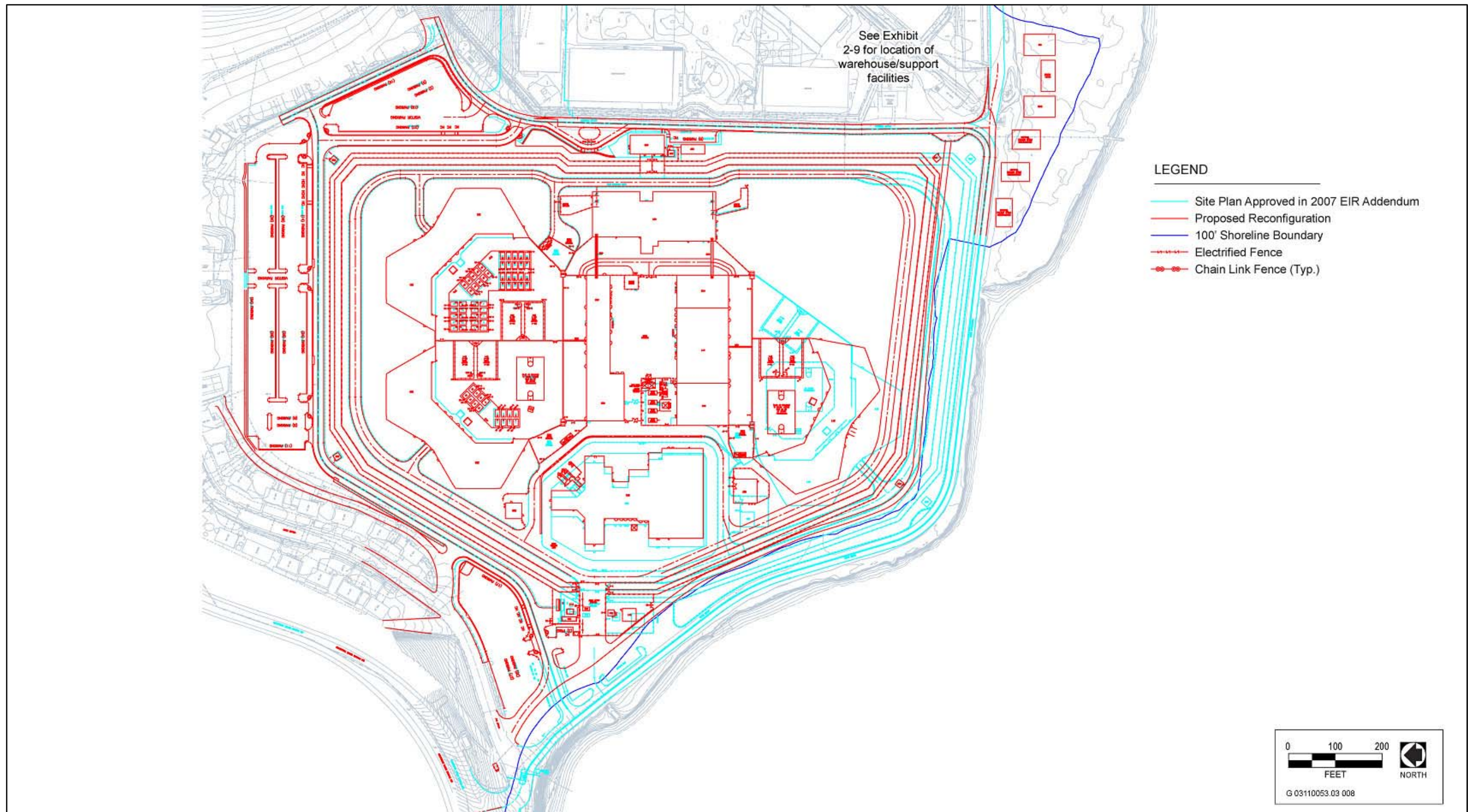
1. A small portion of the proposed security perimeter fence, including lethal electrified fence, within the BCDC shoreline zone would be moved outside of this zone. Refer to Exhibit 2-7 for realigned site plan, including new location of security perimeter fencing and towers.
2. One proposed CIC inmate housing unit would be shifted to accommodate realignment of the perimeter fence and other project improvements so as to avoid the BCDC shoreline zone. There would be no change from the approved 2007 CIC site plan related to proposed building square footage, its basic location or maximum inmate cell capacity. Refer to Exhibit 2-7 and Exhibit 2-8 for proposed changes to orientation of CIC buildings.
3. All other elements of the project that were previously proposed within the BCDC shoreline zone would be relocated to other on-site locations within the CIC site or have been eliminated from the plan. These elements are described in greater detail below:
 - A guard tower that was proposed within the BCDC shoreline zone and another guard tower that was proposed outside the perimeter fence of the eastern boundary of the 2007 CIC site plan would be shifted inside the revised boundary of the project.
 - Resurfacing of the existing shoreline road and approximately 4,500 sf of proposed pavement located within the BCDC shoreline zone has been eliminated from the plan. Additionally, the construction of utility alignments beneath the shoreline road is no longer proposed; rather, underground utilities would be shifted to lie completely within the new site boundaries.
 - Under the approved 2007 CIC site plan, the contractor staging area (i.e., area where construction materials would be temporarily stored) would be located on the peninsula southeast of the CIC facility and the peninsula would have been entirely graded. With the proposed realignment, the portion of the peninsula within the BCDC shoreline zone would remain "as is." All contractor staging areas and portable field offices would be located to the interior areas of the peninsula or relocated to other interior areas of the site as shown in Exhibits 2-6 and 2-7.
 - With the proposed realignment/consolidation of the CIC site plan, the low-lying portion of the base of Dairy Hill that lies within the BCDC shoreline zone would remain in place; still, most of this landform would be removed because it is outside of the BCDC shoreline zone and the land on which it sits is needed for the project.
 - The alignment of a sewer main would be relocated and would lie just outside the CIC perimeter fencing. No encroachment within the BCDC shoreline zone would occur.
4. Under the approved 2007 CIC site plan, the existing rock-lined drainage channel within the project area would be replaced with an underground storm water discharge pipeline. A new concrete box culvert would be constructed under the shoreline road to convey storm water to the Bay. This box culvert would replace the existing bridge on the shoreline.



Source: Adapted by EDAW in June 2009

Currently Proposed Location of Warehouse/Support Buildings

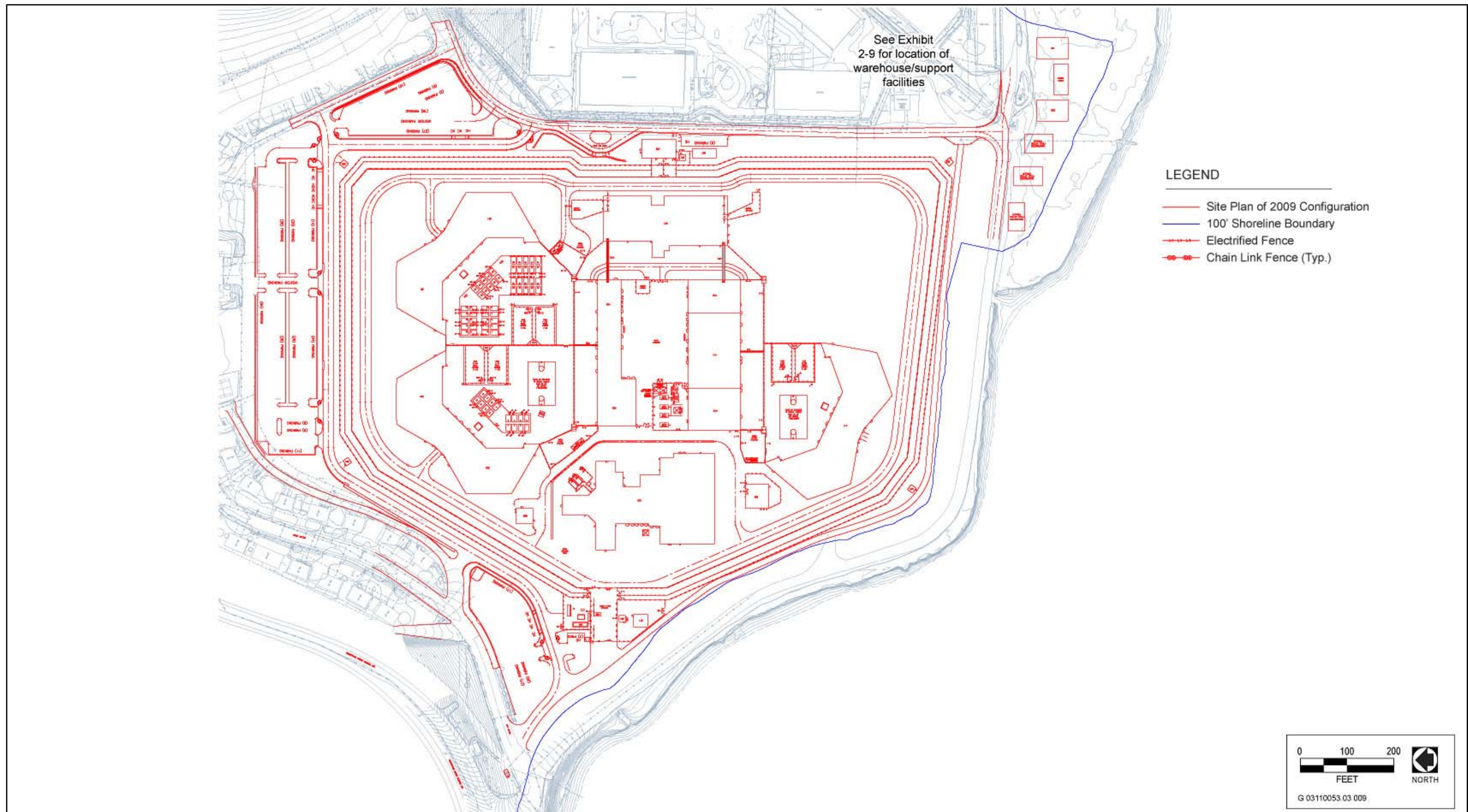
Exhibit 2-6



Source: Winzler & Kelly June 2009; Kitchell June 2009

Comparison of 2007 and 2009 Addendum Site Plans

Exhibit 2-7



Source: Winzler & Kelly June 2009; Kitchell June 2009

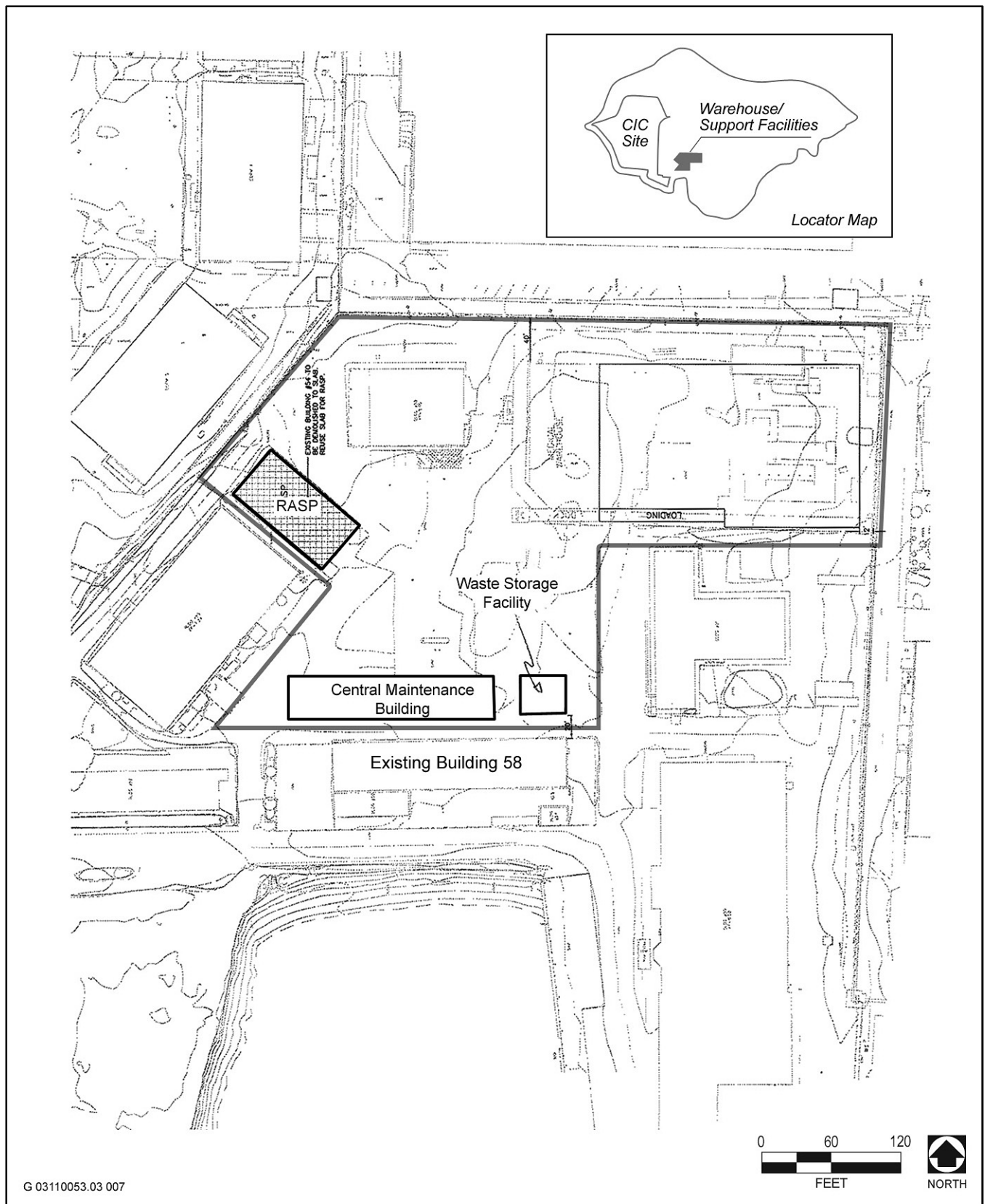
2009 Addendum CIC Site Plan

Exhibit 2-8

The proposed realignment/consolidation of the 2007 CIC site plan would result in a slight change to the length of the new underground storm water discharge pipe and the location of its outlet. Because of the plan to remove all planned improvements within the BCDC shoreline zone, approximately the last 100 feet of the channel would now remain as an open rock-lined channel. The existing bridge and rock wall along the face of the shoreline would be retained “as is” instead of being replaced with a box culvert and outlet. Realignment and consolidation of the 2007 CIC site plan would also eliminate any changes to the drainage area within the BCDC shoreline zone. All existing drainage outlets along the current perimeter security road would remain “as is.”

5. The approved 2007 CIC site plan included the demolition (on the CIC site) and reconstruction of the Recycle and Salvage Program (RASP) facility. The location of the RASP facility has been modified and would be constructed on the site of existing Building 54 (Exhibit 2-9). Existing Building 54 would be demolished (as approved in the 2007 CIC Addendum) except for the concrete slab foundation, which would be cleaned and covered with new concrete. The RASP facility would be constructed with a 21-foot high metal canopy over most of the concrete floor area to allow year round operation of the RASP during inclement weather. The 5,300 sf facility would be enclosed within an 8’ high cyclone fence.
6. Similar to what was proposed in the 2007 CIC Addendum, a new central maintenance building would be constructed in the area north of Building 58 (a new location within the developed footprint of SQSP) to provide space for limited building and grounds maintenance functions (Exhibit 2-9). The building would be approximately 6,000 sf in size, smaller than what was approved as part of the 2007 CIC site plan (9,316 sf), and approximately 16 feet tall. Space for electrical, carpentry, plumbing, and general maintenance functions is no longer proposed in this building. The proposed building would be pre-engineered metal with concrete foundation and slab on grade. The maintenance building would provide offices for maintenance supervisors, restroom facilities, space for equipment storage and repairs, and general shop functions.
7. A new waste storage facility is proposed to temporarily store waste materials from various maintenance, vocational, and industrial programs within the prison. The proposed waste storage facility would be a concrete paved area of approximately 1,300 sf enclosed within a cyclone fence and would be located adjacent to the proposed central maintenance building (Exhibit 2-9). The facility would be covered with a 12-foot metal canopy. Inside the paved area, concrete walls would be constructed to separate four storage areas fitted with containment sumps and ramps for safe loading and unloading of any hazardous materials (e.g., paints, solvents, cleaning agents, etc.). Periodically, the materials would be collected and disposed of off-site by a contract vendor in accordance with regulatory requirements. The facility would require notice to the Certified Unified Program Agency (Marin County Department of Public Works, Division of Waste Management) and submission of an update to SQSP’s hazardous materials business plan.
8. Based on updated program and operational considerations, the vehicle maintenance building that was proposed in the 2007 addendum to the EIR will not be required or constructed. Accordingly, Building 53 will not be demolished (Exhibit 2-9).
9. The approved 2007 CIC site plan would have added 54 parking spaces at SQSP. With the proposed realignment/ consolidation of the 2007 CIC site plan, 40 parking spaces would be removed from the site. With these proposed modifications, there would be a net gain of 14 parking spaces (instead of 54).
10. Staffing associated with the CIC and the total number of inmates at SQSP would not change from what was reported in the 2007 CIC Addendum to the EIR.

The size of buildings involved in the proposed project realignment is shown in Table 2-1. As shown, the total scope of new construction would be reduced. With proposed modifications, there would be a net reduction of 6,989 sf of building space constructed on-site.



Modified Warehouse/Support Facilities Plan

Exhibit 2-9

Exhibit 2-8 depicts the layout of the CIC. Exhibit 2-8 depicts the warehouse/support facilities.

Table 2-1 Size and Buildings Involved in the CIC Project Modification			
Modified Buildings	Size (square feet) ³		Proposed Height (feet) ³
	New Space Added	Approved Space Removed	
RASP Facility ¹	0	0	21
Central Maintenance	0	3,316	16
Vehicle Maintenance	0	5,148	25
Waste Storage Facility	1,475	0	12
Building 53 (would remain in place)	0	0	24 (estimated)
Building 54 (would be demolished) ²	0	0	18 (estimated)
Total	1,475	8,464	
Net Gain (Loss) in Building Area = (6,989 sf)			
Notes: CIC = Condemned Inmate Complex; N/A = not applicable ¹ The relocation of the RASP facility was approved in the CIC project. A new location is proposed with this addendum. ² Building 54 was approved for demolition as part of the 2007 CIC Addendum. ³ Size and height are approximate.			

3 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES, AND MITIGATION MEASURES

3.1 APPROACH TO ENVIRONMENTAL ANALYSIS

As stated previously in Section 1.2, “Why an Addendum is an Appropriate CEQA Document,” CDCR has determined that, in accordance with Section 15164 of the State CEQA Guidelines, minor technical changes or additions to the CIC EIR are necessary to address the modifications to the CIC proposal.

To prepare an addendum to an EIR, as opposed to a subsequent EIR (SEIR) or a supplement to an EIR (Sections 15162 and 15163 of the State CEQA Guidelines), none of the conditions described in Section 15162 calling for preparation of a SEIR must have occurred. In summary, an addendum should be prepared if there are minor technical changes or altered circumstances since approval of the previous CEQA document, and such changes:

- ▶ will not result in any new significant environmental effects,
- ▶ will not substantially increase the severity of previously identified effects,
- ▶ will not result in a determination that previously infeasible mitigation measures or alternatives which would have substantially reduced a significant unavoidable impact are now feasible, or
- ▶ will not result in availability/implementation of mitigation measures or alternatives which are considerably different from those analyzed in the previous document in order to substantially reduce one or more significant effects on the environment.

The analysis of environmental effects provided below addresses the same impacts addressed in the 2005 CIC EIR and 2007 CIC Addendum to the EIR. The environmental analysis evaluates for each environmental topic area (e.g., land use, traffic, air quality) whether there are any changes in the project or the circumstances under which it would be undertaken that would result in new or substantially more severe environmental impacts than considered in the CIC EIR and 2007 CIC Addendum.

The EIR for the CIC was prepared in two volumes:

1. Volume I is the Draft EIR. Volume I was circulated for public review on September 27, 2004.
2. Volume II is the Responses to Comments on the Draft EIR. Volume II was completed on April 13, 2005. It was supplemented with additional responses to comments on May 5, 2005. The supplemental document responded to two late comment letters.

In April 2007, an Addendum to the EIR was completed to address modifications to the CIC as approved based on the 2005 certified EIR. The modifications addressed in the 2007 CIC Addendum to the EIR did not result in changes in the significance of any environmental impact evaluated in the certified EIR.

In the discussion that follows, differences between analyses in 2005 CIC EIR and the 2007 CIC Addendum to the EIR are noted, where relevant. However, the totality of the EIR is Volumes I, II, and the 2007 CIC Addendum to the 2005 CIC EIR together, and the findings are based on the project as modified in Volume II and the 2007 CIC Addendum to the 2005 CIC EIR.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
1. Visual Resources. Would the project:					
a. Have a substantial adverse affect on a scenic vista?	p. 4.1-8 (Volume I), p. 3-3 (2007 CIC Addendum)	No	No	No	None needed
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;	pp. 4.1-8 through \ 4.1-16 (Volume I), pp. 3-20 through 3-31 (Volume II), p. 3-3 (2007 CIC Addendum)	No	No	No	Yes
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	pp. 4.1-8 through 4.1-16 (Volume I), p. 3-3 (2007 CIC Addendum)	No	No	No	Yes
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	pp. 4.1-8 through 4.1-16 (Volume I), p. 3-3 (2007 CIC Addendum)	No	No	No	Yes

SUMMARY OF EIR ANALYSIS

The 2005 CIC EIR found that the project site is not visible from a state-designated scenic highway and does not support any visually significant scenic resources (i.e., trees and rock outcroppings). As a result, the project would not have a substantial adverse effect on any such resources. This would be a less-than-significant scenic view impact.

Nighttime lighting would alter the intensity of lighting on the site as well as the nighttime viewshed along Sir Francis Drake Boulevard north of the site, and from the Larkspur Landing Terminal. This change would be significant.

Under the stacked design option, which was the design option approved by CDCR, the site would be leveled, including removal of Dairy Hill (a 60 foot tall hill that provided moderate visual screening) and relatively tall (nearly 50 feet) buildings would be constructed along the shoreline of San Francisco Bay. These buildings, when viewed from Corte Madera, the Larkspur Landing Ferry Terminal, the Greenbrae Boardwalk, Sir Francis Drake Boulevard, and other mid- and close-range viewpoints, would add a new dominant feature in the overall viewshed that would not blend in with existing structures on the site. This would be a significant visual impact. The 2007 CIC Addendum modified the project to include removal of one of the four proposed housing units, which would slightly reduce the visibility of the project and would result in a slightly lesser modification of the viewshed from key viewpoints than reported in the 2005 CIC EIR because less building mass would be constructed on the project site. Nonetheless, this impact would remain significant.

The 2007 CIC Addendum approved the demolition of Building 54 and Building 53, located in the warehouse area of SQSP. These buildings would be replaced with a warehouse, a central maintenance building, and a vehicle

maintenance and support services building. Within the context of the greater viewshed, these buildings would be visually overwhelmed by the larger old cell blocks (over 100 feet high) located to the east and north, which are visually dominant. The area where these buildings are located appears visually cluttered, with no remarkable or unifying architectural theme. It was determined that no new significant or substantially more severe visual impacts would occur as a result of the 2007 project modifications.

MITIGATION MEASURES

Mitigation Measure 4.1-f required CDCR to use paint and design elements that would integrate the building design into the character of SQSP, and also included consultation with the San Francisco Bay Conservation and Development Commission on project design. Nonetheless, the buildings would remain a visually prominent feature in the landscape and this impact was concluded to be significant and unavoidable.

Because CDCR uses state-of-the-art lighting for its facilities, which casts light only where it is needed, no other feasible lighting mitigation is available. The residual impact was concluded to be significant and unavoidable.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

The proposed realignment and consolidation of the 2007 CIC site plan would result in shifting the proposed CIC security perimeter fence and one guard tower approximately 100 feet back from the shoreline (Exhibit 2-7). By this realignment, no element of the 2007 CIC site plan would encroach within the BCDC shoreline zone. Realignment of the perimeter fence would also result in the need to slightly modify the position of one inmate housing unit to accommodate the new orientation of the fence and guard tower. However, the shift in the orientation of the inmate building and guard tower would be so minor that there would not be a noticeable visual change in comparison to the project evaluated in the EIR. The buildings within the CIC project area would remain in either their exact location or in the case of one inmate housing unit, a slightly reoriented location, so the same mass will be present as was previously analyzed and approved in the earlier environmental documents.

The removal of all improvements and site grading within the BCDC shoreline zone would result in the preservation of a low-lying portion of the shoreline base of Dairy Hill. The natural contours of the base of Dairy Hill would remain within the BCDC shoreline. The overall appearance of the new correctional facility and its secure perimeter fencing and guard tower will appear very similar to previous simulations of the project. The CIC would still be a visually prominent feature, and a significant impact would remain. The mitigation measure in the EIR, which calls for using paint to visually blend buildings in with their surroundings, would reduce the visibility of the proposed CIC buildings in this location, and make them appear much like the other visible structures; however, the buildings would still be a visually prominent feature in the overall landscape and a significant and unavoidable visual impact would remain. Consultation with BCDC on the appearance of buildings already has occurred through the prior efforts to procure a permit, as well as through overall project design. As noted in Section 1 of this document, BCDC staff recommended approval of a permit for the project. During consultation with BCDC staff, discussions were held regarding the appearance of project structures and staff was consulted with respect to appearance, colors, and design. No changes in the current design are proposed. Thus, the effect of this mitigation would still be achieved.

Changes to the warehouse area of the prison would include general relocation and reorientation of support buildings within this area. No new areas of development are proposed. Overall, the area of building space constructed would be reduced from that approved as part of the 2007 CIC site plan. Exhibit 2-9 shows location and footprint of the proposed buildings in the warehouse area of the prison. Currently, buildings in the warehouse area of the prison are not substantially visible from off-site areas, with buildings and landscaping blocking views from Sir Francis Drake Boulevard. The buildings are visible for only a brief (a few seconds) time along the bay to ferryboats traveling from Larkspur Landing and passing the site. Even from this viewpoint, the warehouse area of the prison is largely blocked by intervening structures (a Quonset hut, also known as Building 58, along the waterfront largely blocks the visibility of most of the warehouse area). Buildings proposed within the warehouse

area range from 12 to 25 feet in height, in most instances shorter than warehouse building heights approved in the 2007 CIC Addendum. Further, the mitigation measure in the EIR, which calls for using paint to visually blend buildings in with their surroundings, would further reduce the visibility of the proposed buildings in this location, and make them appear much like the other visible structures. The visual change would not be substantial, and no new significant or substantially more severe visual impacts would occur compared to the EIR.

Under the approved project, a temporary contractor staging area would be located south of the CIC site along an undeveloped area of the shoreline. The staging area is re-sized to avoid the BCDC shoreline zone. Within this area, similar facilities and materials are proposed to be stored including six temporary field office trailers and construction equipment (Refer to Exhibits 2-6 and 2-7). The balance of construction staging area would be located throughout other areas of the CIC site. Because similar buildings and materials as already approved are proposed to be located in the smaller contractor staging area, no new significant or substantially more severe visual impacts would occur compared to the EIR.

The analysis in the EIR, which found that the project's visual effects were significant and unavoidable, would not change with the proposed realignment of the shoreline section of the 2007 CIC site plan. While the small remnant of the shoreline base of Dairy Hill that will now remain (the area within the BCDC shoreline zone), the overall change to the visual presentation of the proposed CIC facility is minimal.

The proposed changes to the support buildings in the warehouse area would also not result in any substantial visual changes in comparison to that which was presented in the EIR. Accordingly, no new significant or substantially more severe visual effects would occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
2. Air Quality. Would the project:					
a. Implement, during construction, the applicable control measures as listed in the BAAQMD CEQA Guidelines	p. 4.2-14 (Volume I), pp. 3-34 through 3-35 (Volume II), p. 3-9 (2007 CIC Addendum)	No	No	No	Yes
b. Result in emissions of ROG, NO _x , or PM ₁₀ that exceed the BAAQMD CEQA operations thresholds of 15 tons per year, 80 pounds per day, or 36 kilograms per day;	pp. 4.2-14 through 4.1-15 (Volume I), pp. 3-34 through 3-35 (Volume II), p. 3-9 (2007 CIC Addendum)	No	No	No	None needed
c. Contribute CO concentrations that exceed the California 1-hour ambient air quality standard of 20 ppm or the 8-hour standard of 9 ppm?	pp. 4.2-15 through 4.2-16 (Volume I), pp. 3-34 through 3-35 (Volume II), p. 3-9 (2007 CIC Addendum)	No	No	No	None needed
d. Exposure sensitive receptors to toxic air contaminant emissions that exceed 10 in 1 million for the Maximally Exposed Individual (MEI) to contact cancer and/or a Hazard Index of 1 for the MEI.	p. 4.2-16 (Volume I), pp. 3-34 through 3-35 (Volume II), p. 3-9 (2007 CIC Addendum)	No	No	No	None needed
e. Result in the exposure of sensitive receptors to unpleasant odorous emissions.	pp. 4.2-16 through 4.1-17 (Volume I), pp. 3-34 through 3-35 (Volume II), p. 3-9 (2007 CIC Addendum)	No	No	No	None needed

SUMMARY OF EIR ANALYSIS

The 2005 CIC EIR found that the CIC project had the potential to create significant construction-related impacts if Bay Area Air Quality Management District (BAAQMD) construction mitigation measures were not included in the proposed project. The 2005 CIC EIR also concluded that impacts related to long-term operational, local mobile-source carbon monoxide, toxic air contaminants, and odorous emissions would be less than significant.

The 2007 CIC Addendum modified the project to result in construction of three of the four proposed housing units, which would reduce construction-related emissions. In addition, the 2007 CIC Addendum discussed the proposed demolition of Buildings 53 and 54, removal of the previously approved fourth housing unit, and construction of warehouse and other support facilities that collectively would result in less construction than

would have been associated with the fourth housing unit. In spite of these changes, it was determined that construction emissions would be similar to what was reported in the 2005 CIC EIR. Further, the reduction in employees resulting from elimination of the fourth housing unit would reduce employee commutes to the site compared with what was reported in 2005 CIC EIR. It was determined that the analysis and determinations in the 2005 EIR would not change with the modifications to the project analyzed in the 2007 CIC Addendum. It was determined that the combination of the removal of one housing unit and the addition of warehouse facilities would result in similar construction and operational air quality impacts as reported in the 2005 CIC EIR. Thus it was determined that no new significant or substantially more severe air quality impacts would occur as a result of the 2007 project modifications.

MITIGATION MEASURES

Mitigation Measure 4.2-a required CDCR to implement BAAQMD construction emission reduction measures. With these measures in place, construction-related air quality impacts would be less than significant. Because no other air quality impacts would be significant, no other mitigation would be needed.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

The slight shifting and re-orientation of the CIC and secured perimeter fence would result in a similar amount of construction to that proposed in the EIR (i.e., three housing units). The modified project would eliminate roadway repaving within the 100-foot shoreline band area, would reduce the number of parking spaces (and associated paving), would retain Building 53 (approximately 6,500 sq. ft.), and would reduce the total square footage of other support building space. Overall, construction activities would be slightly less than was analyzed in the approved 2005 CIC EIR and 2007 CIC Addendum. With these changes, construction emissions would be similar to slightly less than what was reported in the EIR.

The realignment of the approved 2007 CIC site plan would not eliminate the significant construction air quality impacts and no new impacts would occur. All other construction would be as considered in the EIR, and Mitigation Measure 4.2-a would still be needed to reduce the impact to a less-than-significant level. No change in operational impacts would occur as a result of the modified project. The same number of inmates would be housed on-site and the same number of employees would commute to the site on a daily basis as that approved in the EIR. The realigned design and the reduction in the overall square footage of warehouse and other support facilities would result in similar to slightly less construction and operational air quality impacts as reported in the EIR.

The issue of climate change effects from increased production of greenhouse gases (GHGs) was not identified or addressed as a significant impact in the EIR. However, the modifications proposed from the 2009 realignment of the project would not change the amount of GHGs that would be generated by the project, and therefore no new significant impact or a more severe effect would result. GHGs are generated in projects such as the proposed CIC through transportation (emissions from vehicles) and natural gas for cooking and building heating and, indirectly, through generation of electricity (emissions at power plants) for various purposes. Because the project would generate the same or fewer vehicle trips as the project evaluated in the EIR, and because it has a slightly smaller building area than the 2007 CIC Addendum (and substantially less than the 2005 CIC EIR), it would produce the same or a lesser level of GHGs as the approved project. No new significant impacts, in the context of modifications to an approved project, would result.

The realignment/consolidation of the project site and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in the EIR. Accordingly, no new significant or substantially more severe air quality effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
3. Biological resources. Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by DFG or USFWS?	pp. 4.3-10 through 4.3-13 (Volume I), p. 3-44 (Volume II), p. 3-11 (2007 CIC Addendum)	No	No	No	Yes
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by DFG or USFWS	pp. 4.3-12 through 4.3-13 (Volume I), p. 3-11 (2007 CIC Addendum)	No	No	No	None needed
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, rivers, etc.) through direct removal, filling, hydrological interruption, or other means?	pp. 4.3-12 through 4.3-13 (Volume I), p. 3-11 (2007 CIC Addendum)	No	No	No	Yes
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	p. 4.3-12 (Volume I), p. 3-11 (2007 CIC Addendum)	No	No	No	Yes
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	pp. 4.3-10 through 4.3-13 (Volume I), p. 3-11 (2007 CIC Addendum)	No	No	No	None needed

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
3. Biological resources. Would the project:					
f. Substantially reduce the habitat of a fish and wildlife species, cause a fish or wildlife species to drop below self-sustaining levels, or threaten to eliminate a plant or animal community?	pp. 4.3-11 through 4.3-13 (Volume I), p. 3-11 (2007 CIC Addendum)	No	No	No	None needed
g. Reduce the number or restrict the range of an endangered, rare or threatened species	pp. 4.3-11 through 4.3-13 (Volume I), p. 3-11 (2007 CIC Addendum)	No	No	No	None needed

SUMMARY OF EIR ANALYSIS

The EIR found that the project would not have the potential to adversely affect riparian habitat, would not conflict with any adopted conservation plans, would not affect special-status species habitat, and would not substantially reduce the habitat of a fish or wildlife species below self-sustaining levels, and all related impacts were determined to be less than significant.

The EIR concluded that impacts related to operation of a lethal electrified fence could adversely affect migratory birds and other birds protected by the California Fish and Game Code, and found such impacts to be significant.

The EIR concluded that the project would affect a small, degraded ditch (0.2 acre) with a hydrological connection to San Francisco Bay, and concluded that this would be a significant impact.

MITIGATION MEASURES

Mitigation Measure 4.3-c required CDCR to implement a multi-tier wildlife mitigation program to reduce impacts from operation of the lethal electrified fence. Mitigation Measure 4.3-d required CDCR to seek authorization for fill of the ditch through a Section 404 of the Clean Water Act permit, and required CDCR to comply with all attendant mitigating conditions. Impacts related to the lethal electrified fence and fill of the ditch would be reduced with these measures to a less-than-significant level. Because no other biological resource impacts would be significant, no other mitigation would be needed.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

The realignment to the project site would not alter the need for the lethal electrified fence, nor would they affect its design, and no new significant impacts would occur. The location of part of the fence would be moved several feet from where it was originally proposed, but this change would not alter the potential for species to be harmed by the fence; it would neither place the fence closer or further away from any sensitive species.

None of the other project changes would alter the project in such a way as to involve impacts on any biological resources in any way different than addressed in the EIR.

Proposed support buildings (RASP facility, central maintenance building, and waste storage building) all would be constructed in a previously disturbed area, and no sensitive biological species would be affected by the construction of these structures and facilities.

Under the approved 2007 CIC site plan, the existing rock-lined drainage channel within the project area would be replaced with an underground storm water pipeline. A new concrete box culvert would have replaced the existing bridge on the shoreline road to convey storm water to the Bay.

The proposed 2009 realignment to the 2007 CIC site plan would result in a slight change to the length of the new storm water pipeline and location of its outlet. Because of the plan to remove all planned improvements within the BCDC shoreline zone, the portion of the channel within the shoreline zone would now remain as an open rock-lined channel. The existing bridge and rock wall along the face of the shoreline would be retained as is instead of being replaced with a box culvert and outlet. Proposed changes to the storm water discharge pipeline and channel will not result in new significant adverse biological effects. Regarding hydrology and water quality impacts related to the proposed storm water pipeline and channel, please refer to Section 8, “Hydrology and Water Quality”, of this addendum.

Realignment and consolidation of the 2007 CIC site plan would also eliminate any changes to the vegetation and terrain within the BCDC shoreline zone.

The realignment/consolidation of the project site and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in the EIR. Accordingly, no new significant or substantially more severe biology effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
4. Land use and Planning. Would the project:					
a. Physically divide an established community?	p. 4.4-8 (Volume I), p. 3-13 (2007 CIC Addendum)	No	No	No	None needed
b. Conflict with any applicable land use plan or policy of an agency with jurisdiction over the project adopted for the purposes of avoiding or mitigating an environmental effect?	pp. 4.4-9 through 4.4-10 (Volume I), p. 3-13 (2007 CIC Addendum)	No	No	No	None needed

SUMMARY OF EIR ANALYSIS

The EIR found that the project would not physically divide a community because all structures would be on the grounds of an existing prison and no land uses would be incompatible with or would provide a physical barrier that would divide a community.

The EIR also found that the project would be consistent with BCDC policies pertaining to access and minimizing visual impacts to the degree feasible. BCDC is the only agency with land use plans and policies that has jurisdiction over any portion of the project site.

MITIGATION MEASURES

No mitigation measures were needed.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

The modifications to the project would not alter the relationship of the site to surrounding communities, and no new barriers that physically divide a community would be created. The project realignment would remove construction activities previously proposed within the BCDC shoreline zone. Therefore, the project would no longer be subject to BCDC jurisdiction and associated permitting requirements.

The realignment/consolidation of the project site and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in the EIR. Accordingly, no new significant or substantially more severe land use and planning effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
5. Cultural Resources. Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource?	pp. 4.5-21 through 4.5-23 (Volume I), pp. 4.5-24 through 4.5-26 (Volume II), p. 3-14 (2007 CIC Addendum)	No	No	No	Yes
b. Cause a substantial adverse change in the significance of an archaeological resource?	p. 4.5-23 (Volume I), p. 3-14 (2007 CIC Addendum)	No	No	No	Yes
c. Disturb any human remains, including those interred outside of formal cemeteries?	p. 4.5-23 (Volume I), p. 3-14 (2007 CIC Addendum)	No	No	No	Yes

SUMMARY OF EIR ANALYSIS

The EIR found that an area of the site that provides housing for some employees is eligible for listing as an historic district, but it would be avoided with the proposed project (i.e., construction of the stacked design option). This is a less-than-significant impact.

The EIR found that the project could adversely affect unknown (buried) cultural resources. This would be a potentially significant impact.

The 2007 CIC Addendum found that the proposed modifications to the warehouse facilities would result in the removal of two structures (Building 53 and 54) that are older than 50 years, which is one of several criteria used to determine whether a resource is historically significant. The State Historic Preservation Officer (SHPO) reviewed both buildings and concluded that neither is historically significant, and that their removal would not represent a significant effect on historic resources. The 2007 CIC Addendum found that the modifications to the project would not alter any of the impact conclusions expressed in the 2005 CIC EIR. It was determined that no new significant or substantially more severe cultural resource impacts would occur as a result of the 2007 project modifications.

MITIGATION MEASURES

Mitigation Measure 4.5-e required CDCR to take certain specific steps if artifacts are uncovered during project excavation activities. This measure would reduce impacts on cultural resources to a less-than-significant level. No other significant impacts would result from the project, as approved (stacked design option), so no additional mitigation would be required.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

The modifications to the project would not affect any of the significant cultural resources identified in the EIR. The modified project would result in the retention of Building 53, a building proposed for demolition in the 2007 CIC Addendum. The 2007 CIC Addendum confirmed that removal of the building would not represent a significant effect on historic resources, and its retention would avoid any impact. No other significant cultural resources or buildings would be affected by the proposed realignment. The realignment/consolidation of the project site and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in EIR. Accordingly, no new significant or substantially more severe cultural resource effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
6. Earth Resources. Would the project:					
a. Expose people or structures to substantial adverse effects including the risk of loss, injury or death involving:					
▶ rupture of a known earthquake fault;	p. 4.6-6 (Volume I), p. 3-16 (2007 CIC Addendum)	No	No	No	None needed
▶ strong seismic ground shaking;	pp. 4.6-6 through 4.6-7 (Volume I), p. 3-16 (2007 CIC Addendum)	No	No	No	Yes
▶ seismic-related ground failure, including liquefaction; or	pp. 4.6-6 through 4.6-7 (Volume I), p. 3-16 (2007 CIC Addendum)	No	No	No	Yes
▶ landslides.	p. 4.6-8 (Volume I), p. 3-16 (2007 CIC Addendum)	No	No	No	None needed
b. Result in substantial soil erosion or loss of topsoil?	pp. 4.6-7 through 4.6-8 (Volume I), p. 3-16 (2007 CIC Addendum)	No	No	No	None needed
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landsliding, lateral spreading, subsidence, liquefaction or collapse?	pp. 4.6-7 through 4.6-8 (Volume I), p. 3-16 (2007 CIC Addendum)	No	No	No	Yes
d. Be inundated by a tsunami?	pp. 4.6-8 through 4.6-9 (Volume I), p. 3-16 (2007 CIC Addendum)	No	No	No	None needed

SUMMARY OF EIR ANALYSIS

The EIR concluded that the project would not be subject to fault rupture and would be constructed to withstand magnitude 7 to 8 earthquakes, so seismic hazards would be less than significant. However, seismically induced ground failure and ground deformation was found to result in a potentially significant impact.

Soil erosion impacts were found to be less than significant because CDCR would be required to obtain a National Pollutant Discharge Elimination System permit that contains requirements that would avoid erosion. Less-than-significant impacts were found associated with landslide potential (the site would not be exposed to potential landslides because the site would be flat) and tsunami exposure (the site is not within the wave run-up zone of a credibly sized tsunami).

Because of the presence of weak, compressible soils, the site would be subject to significant impacts associated with potential foundation degradation.

The 2007 CIC Addendum identified that the proposed warehouse and related structures would be located in an area of the site where Bay mud may be present, and this would expose these structures to potential ground failure during an earthquake. This is the same impact as would occur with the other CIC structures. Mitigation Measures 4.6-b and 4.6-d of the EIR would mitigate geotechnical impacts to a less-than-significant level. It was determined that no new significant or substantially more severe earth resource impacts would occur as a result of the 2007 project modifications.

MITIGATION MEASURES

Mitigation Measures 4.6-b and 4.6-d of the EIR required CDCR to prepare design-specific geotechnical studies before preparation of final grading plans for the project site. With these measures in place, seismically related ground failure and compressible and corrosive soils impacts would be less than significant. Because no other earth resources impacts would be significant, no other mitigation would be needed.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

The shift in location of the proposed CIC, secured perimeter fencing, support and maintenance buildings, and other elements of the project would not alter the conclusions of the EIR with respect to geotechnical hazards. Similar to modifications analyzed in the 2007 CIC Addendum, the proposed warehouse and support structures would be located in an area of the site where Bay mud may be present, and this would expose these structures to potential ground failure during an earthquake. This is the same impact as would occur with the other CIC structures. Mitigation Measures 4.6-b and 4.6-d of the EIR would mitigate geotechnical impacts to a less-than-significant level.

The realignment/consolidation of the project site and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in either the EIR. Accordingly, no new significant or substantially more severe earth resources effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
7. Hazards and Hazardous Materials. Would the project:					
a. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	p. 4.7-7 (Volume I), p. 3-17 through 3-18 (2007 CIC Addendum)	No	No	No	None needed
b. Result in safety hazards to people residing or working in the project area?	pp. 4.7-6 through 4.7-7 (Volume I), p. 3-17 through 3-18 (2007 CIC Addendum)	No	No	No	Yes

SUMMARY OF EIR ANALYSIS

The EIR found that several of the buildings and locations on the CIC site contain or are suspected of containing hazardous materials, including petroleum hydrocarbons, lead-based paint, polychlorinated biphenyls, and asbestos. Construction activities could result in exposure to contaminated soils and building materials, which would be a significant impact. The EIR also concluded that it would be beneficial to remove these materials from the site.

The EIR found that accidents that could occur during construction could expose the public to hazards, but compliance with laws pertaining to the transport and handling of hazardous material would mitigate any related effects to a less-than-significant level.

The 2007 CIC Addendum concluded that although the warehouse area has not been investigated for hazardous materials, based on the age of the buildings and use of these sites it is expected that similar hazardous materials at the CIC site would be present. Based on the age of the two buildings proposed for demolition in the addendum (Buildings 53 and 54), it is likely that asbestos and lead-based paint has been used. Because these buildings have been used for automotive and storage activities, it is expected that some leakage of oil and gas (hydrocarbons) has occurred, and may be present in soils beneath the buildings. These are the same materials that have been found or are expected to be found at the CIC site. Mitigation Measure 4.7-a of the EIR, which requires further investigation, identification of hazardous materials to be removed, and compliance with Regional Water Quality Control Board standards and other applicable laws for cleanup of contaminated sites, would also be applied to Buildings 53 and 54 and would mitigate any impacts associated with their demolition and grading for construction of the warehouse and other support buildings. It was determined that the 2007 modifications to the project would not alter any of the impact conclusions expressed in the EIR. Thus it was determined that no new significant or substantially more severe hazardous materials impacts would occur as a result of the 2007 project modifications.

MITIGATION MEASURES

Mitigation Measure 4.7-a would require preparation of a Health and Safety Plan, further detailed investigations to identify hazardous materials on the site, remediation activities at locations where hazardous materials have been

found, and identification of remediation sites on the project site plan. This would reduce project impacts to a less-than-significant level.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

A proposed waste storage facility would be constructed in the warehouse area of SQSP. The facility would temporarily store hazardous waste from the onsite uses prior to disposal in an approved facility. Transportation of hazardous materials on area roadways is regulated by the California Highway Patrol and California Department of Transportation. CDCR would be required to use, store, and transport hazardous materials in compliance with state, and federal regulations, including the California Occupational Health and Safety Administration requirements and manufacturer's instructions. The facility would also require notice to the Certified Unified Program Agency (Marin County Department of Public Works, Division of Waste Management) and submission of an update to SQSP's hazardous materials business plan. This would be a less-than-significant impact.

The proposed realignment would eliminate the demolition of Building 53, and any hazardous materials present in this building would not be disturbed and would not require removal. All other demolition activities (e.g., Building 54) in the warehouse area would be removed in accordance with Mitigation Measure 4.7-a.

The realignment/consolidation of the project site and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in the EIR. Accordingly, no new significant or substantially more severe hazardous materials effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
8. Hydrology and Water Quality. Would the project:					
a. Violate any water quality standards or waste discharge requirements	p. 4.8-5 (Volume I), p. 3-19 \ (2007 CIC Addendum)	No	No	No	None needed
b. Substantially alter the existing drainage pattern of the site in a manner that would result in substantial erosion or siltation on- or off-site?	p. 4.8-6 (Volume I), p. 3-19 (2007 CIC Addendum)	No	No	No	None needed
c. Substantially alter the existing drainage pattern of the site or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	p. 4.8-5 (Volume I), p. 3-19 (2007 CIC Addendum)	No	No	No	None needed
d. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems?	p. 4.8-5 (Volume I), p. 3-19 (2007 CIC Addendum)	No	No	No	None needed
e. Create or contribute runoff which would be an additional source of polluted runoff?	p. 4.8-6 (Volume I), p. 3-19 (2007 CIC Addendum)	No	No	No	Yes
f. Otherwise substantially degrade water quality?	p. 4.8-6 (Volume I), p. 3-19 (2007 CIC Addendum)	No	No	No	Yes

SUMMARY OF EIR ANALYSIS

The EIR found that the project would not be subject to or create flooding hazards, and that these impacts would be less than significant.

The EIR found that adequate storm waterage facilities would be provided on-site to accommodate the project's stormwater flows and that no significant storm waterage impacts would occur.

The EIR found that construction and operation could result in erosion and degradation of stormwater that enters San Francisco Bay, which is a potentially significant water quality impact.

MITIGATION MEASURES

Mitigation Measure 4.8-c requires CDCR to prepare and implement a stormwater pollution prevention plan (SWPPP), designed to reduce the potential for pollutants to reach the bay. This measure would reduce project impacts to a less-than-significant level.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

The realignment of the 2007 CIC site plan, necessary to remove all facilities and project-related activity from the BCDC shoreline zone, will result in a minor change in the existing plans for the existing rock-lined drainage channel at the south end of the CIC site. As a result of planned realignment, the underground storm water discharge pipeline will now end a little more than 100 feet from the shoreline. The remaining existing section of the rock-lined channel, small bridge, and outlet to the Bay would not be modified. The watershed area contributory to this new storm water will now be reduced because the entire length of the 100-foot shoreline zone will discharge as it currently does directly to the Bay. Discharge would be essentially the same under the proposed revisions as with the approved project. No new significant adverse or substantially more severe effects of storm water discharge from the CIC project site are anticipated to occur as a result of the project modifications.

Water would still be adequately conveyed through the outfall and would not result in back-up flows that could cause localized flooding on the site. The existing outfall has adequate capacity to accommodate proposed stormwater flows. Proposed stormwater discharge rates would not result in any increases above current conditions in erosion at the outfall.

The realignment/consolidation of the project site and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in either the EIR. Accordingly, no new significant or substantially more severe hydrology and water quality effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
9. Noise. Would the project:					
a. Result in a substantial (i.e., 5 dBA, or greater) temporary or periodic increase in ambient noise levels?	pp. 4.9-10 through 4.9-13 (Volume I), p. 3-22 (2007 CIC Addendum)	No	No	No	Yes
b. Result in a substantial (i.e., 5 dBA, or greater) permanent increase in ambient noise levels?	pp. 4.9-13 through 4.9-15 (Volume I), p. 3-22 (2007 CIC Addendum)	No	No	No	Yes
c. Result in the exposure of persons to or generation of noise levels in excess of applicable standards or guidelines?	pp. 4.9-10 through 4.9-15 (Volume I), p. 3-22 (2007 CIC Addendum)	No	No	No	Yes
d. Result in blasting noise exceeding a peak linear noise level of 129 dB, or a C-weighted maximum noise level of 105 dB?	pp. 4.9-11 through 4.9-12 (Volume I), p. 3-22 (2007 CIC Addendum)	No	No	No	Yes
e. Result in ground vibration noise levels exceeding 1.0 IPS PPV?	pp. 4.9-12 through 4.9-13 (Volume I), p. 3-22 (2007 CIC Addendum)	No	No	No	Yes

SUMMARY OF EIR ANALYSIS

The EIR found that construction noise and vibration impacts would be significant, especially associated with removal of Dairy Hill and excavation and grading to create the site for the CIC facilities. The EIR also concluded that increases in traffic from the site would not result in perceptible noise increases on roadways, and that this impact would not be significant. Finally, noise from the use of the public address system would result in a significant impact on on-site correctional officer/staff residences.

The 2007 CIC Addendum concluded that removal of the fourth housing unit would not alter the noise and vibration analysis. The same construction techniques would be used, exposing the same populations to noise. Further, removal of Buildings 53 and 54 and construction of the warehouse and other support facilities would not result in construction noise in excess of the noise associated with construction of the CIC, and the construction would be more distant from sensitive receptors than the rest of the CIC. The same construction noise mitigation used to reduce noise from construction of the CIC would be applied to the warehouse and other support facilities. It was determined that the 2007 modifications to the project would not alter any of the impact conclusions expressed in the EIR. Thus it was determined that no new significant or substantially more severe noise or vibration impacts would occur as a result of the 2007 project modifications.

MITIGATION MEASURES

Mitigation Measures 4.9-a and 4.9-b restrict the time during which construction can occur and require the use of a blasting consultant to ensure that blasting is designed to not exceed certain noise levels. Mitigation Measure

4.9-c requires certain controls to reduce vibration effects associated with pile driving. Mitigation Measure 4.9-e requires the exterior public address system to be designed to reduce noise at on-site residences to the extent feasible, and requires an advisory notice to residents. These measures would reduce noise and vibration impacts to a less-than-significant level.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

No construction activities would occur within the BCDC shoreline zone, including a small portion of Dairy Hill located within the BCDC shoreline zone. Removal of construction activities within the shoreline area would not substantially reduce or alter noise and vibration impacts analyzed in the EIR. The same construction techniques would be used, exposing the same populations to noise. Overall, construction-related noise impacts would be slightly less than was reported in the EIR because slightly less construction activity is proposed (i.e., Building 53 would not be demolished and there would be a net reduction of 6,989 sf of building space constructed). Overall these changes would result in similar (but slightly less) construction noise impacts as reported in the EIR. The same construction noise mitigation used to reduce noise from construction of the CIC would be applied to the realigned CIC design and warehouse and support facilities, and these impacts would be reduced to a less-than-significant level.

The realignment/consolidation of the project site and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in the EIR. Accordingly, no new significant or substantially more severe noise or vibration effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
10. Employment, Population, and Housing. Would the project:					
a. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	pp. 4.10-6 through 4.10-8 (Volume I), p. 3-24 (2007 CIC Addendum)	No	No	No	None needed
b. Substantially decrease the existing supplies of housing?	pp. 4.10-6 through 4.10-8 (Volume I), p. 3-24 (2007 CIC Addendum)	No	No	No	None needed
c. Result in development of replacement housing, the construction of which could result in significant environmental impacts?	pp. 4.10-6 through 4.10-8 (Volume I), p. 3-24 (2007 CIC Addendum)	No	No	No	None needed

SUMMARY OF EIR ANALYSIS

The 2005 CIC EIR reported that total employment at the site would increase by 489 employees for a total of 2,198 staff. The 2007 CIC Addendum reported that, as a result of the proposed 2007 modifications to the project, total employment would be 505, an increase of 16 staff (to a total of 2,214 staff) from that evaluated in the 2005 EIR. The DEIR (Volume I) evaluated population and housing impacts based on a higher employment total (2,260 employees) and determined that population and housing impacts would be less-than-significant. Through modifications approved in the 2007 CIC Addendum total employment at SQSP would be 46 less (2%) than the total assumed in the DEIR (Volume I). Because Volume I of the EIR found that population and housing impacts associated with a higher level of employment would be less than significant, it follows that fewer total employees would similarly result in less-than-significant impacts.

MITIGATION MEASURES

Because no significant impacts were identified, no mitigation measures would be needed.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

The realignment of the 2007 CIC site plan would result in no change to employment at the site from what was reported in the 2007 CIC Addendum. The impact would remain less than significant.

The realignment/consolidation of the project site and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in the EIR. Accordingly, no new significant or substantially more severe employment or population and housing effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
11. Public Services and Utilities. Would the project:					
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for law enforcement?	pp. 4.11-1 through 4.11-2 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	None needed
b. Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for fire protection?	pp. 4.11-2 through 4.11-3 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	None needed
c. Substantially increase school enrollment in any district that is near or over capacity and, as a result, cause the need to physically alter school facilities, the construction of which could cause significant environmental impacts?	pp. 4.11-3 through 4.11-4 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	None needed
d. Result in a demand for wastewater treatment service that is substantial in relation to the remaining WWTP capacity or if the demand exceeds the capacity?	pp. 4.11-6 through 4.11-8 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	None needed
e. Require or result in the construction or expansion of new wastewater treatment facilities, the construction of which could cause significant environmental effects?	pp. 4.11-6 through 4.11-8 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	None needed
f. Not meet wastewater treatment requirements of the San Francisco RWQCB?	pp. 4.11-6 through 4.11-8 (Volume I),	No	No	No	None needed

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
11. Public Services and Utilities. Would the project:					
	p. 3-26 and 3-27 (2007 CIC Addendum)				
g. Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?	pp. 4.11-16 through 4.11-18, 4.11-23 through 4.11-24, 4.11-29 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	Yes
h. Not have sufficient water supplies available to serve the project from existing entitlements and resources and/or would require new or expanded entitlements?	pp. 4.11-16 through 4.11-18, 4.11-23 through 4.11-24, 4.11-29 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	Yes
i. Not be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	pp. 4.11-30 through 4.11-31 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	None needed
j. Not comply with federal, state, and local statutes and regulations related to solid waste?	pp. 4.11-30 through 4.11-31 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	None needed
k. Result in an increase in demand for electricity or natural gas service that is substantial in relation to the existing demands?	pp. 4.11-32 through 4.11-34 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	None needed
l. Require or result in the construction of new electrical or gas facilities, the construction of which could cause significant environmental effects?	pp. 4.11-32 through 4.11-34 (Volume I), p. 3-26 and 3-27 (2007 CIC Addendum)	No	No	No	None needed

SUMMARY OF EIR ANALYSIS

The EIR found that the CIC would have less-than-significant impacts on all public services and utilities, except water supply. Less-than-significant impacts on police, firefighting, solid waste, water delivery and storage infrastructure, wastewater treatment, electricity, and natural gas would result.

The EIR found that the CIC would result in significant impacts on water supply. The CIC would result in a net increase in water demands of 140 acre-feet per year (afy). Marin Municipal Water District (MMWD) supplies water to the site and southern Marin County. MMWD generally considers an increase in consumption of 100 afy as a threshold demarking a significant increase in water supply. Because the project would result in a net increase in demand of 140 afy and would exceed the threshold of significance of 100 afy established by MMWD, CDCR concluded that the net increase in water supply would be significant.

MITIGATION MEASURES

CDCR adopted Mitigation Measure 4.11-g, which requires installation of restricted-flow plumbing fixtures and toilet flush valves, which would reduce estimated consumption by between 20 and 60 afy. Because it was not certain whether total net increased consumption could be reduced to below 100 afy (the threshold established by MMWD to determine a significant water supply impact), this impact was concluded to be significant and unavoidable.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

The number of employees and inmates would not change as a result of project modifications. Because impacts on these resources are based on inmate and employee totals, no changes associated with public services and utilities would change. The realignment/consolidation of the project site and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in the EIR. Accordingly, no new significant or substantially more severe public services and utilities effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

Environmental Issue Area	Where Was Impact Analyzed in Prior Environmental Document?	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Prior Mitigation Measures Address Impacts?
12. Transportation. Would the project:					
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	pp. 4.12-21 through 4.12-27 (Volume I), p. 3-29 through 3-30 (2007 CIC Addendum)	No	No	No	Yes
b. Exceed, either individually or cumulatively, a level of service standard established by local jurisdictions including the City of Larkspur or City of San Rafael?	pp. 4.12-21 through 4.12-27 (Volume I), p. 3-29 through 3-30 (2007 CIC Addendum)	No	No	No	Yes
c. Result in inadequate parking capacity?	pp. 4.12-26 through 4.12-27 (Volume I), p. 3-29 through 3-30 (2007 CIC Addendum)	No	No	No	None Needed

SUMMARY OF EIR ANALYSIS

The 2005 CIC EIR (Volume I and II) found that the operation of the CIC would degrade the level of service (LOS) at the intersection of Main Street/Interstate 580 (I-580) eastbound/westbound ramp from LOS C to LOS E. Because LOS C is “acceptable” and LOS E is an unacceptable LOS, this was determined to be a significant impact. Construction traffic was also found to result in potentially significant impacts on several intersections. Impacts associated with use of public transit and on-site parking were found to be less than significant.

As discussed in item 10 above, the 2007 project modifications resulted in fewer employees than considered in the DEIR (Volume I). The changes are comparatively minor. The impacts of the CIC were based on the net addition of 648 employees. Because the 2007 project modifications would employ fewer people (505, 22% less than reported in the DEIR), traffic generation would be less than considered in the EIR Volume I. Thus, it was determined that the project as modified in 2007 would result in a lesser magnitude of traffic impacts when compared to the EIR (Volume I). Nevertheless, rather than recalculating the lesser traffic generation, CDCR continued to assume that the impact at Main Street/I-580 is significant, and adopted the same mitigation as included in the EIR. This will reduce project impacts to a less-than-significant level.

MITIGATION MEASURES

Mitigation Measure 4.12-a was adopted by CDCR and requires the fair-share funding of a traffic signal at Main Street/I-580. Mitigation Measure 4.12-b was adopted by CDCR to reduce construction impacts by imposing a limit on the numbers of construction employees who could enter or leave the site during the peak hours of adjacent roadways.

CHANGES RESULTING FROM 2009 REALIGNMENT OF THE PROJECT

As discussed in item 10 above, the project realignment would result in no change to employment at the site from what was reported in the 2007 CIC Addendum to the EIR and approved. Thus, the modified project would result in a similar magnitude of traffic impacts when compared to the 2007 CIC Addendum, and these impacts are less than evaluated in the 2005 CIC EIR.

Although the total construction effort would be less than considered in the EIR (fewer facilities will be constructed), the peak employment associated with construction staffing would be the same, resulting in the same impacts from construction as reported in the EIR (impacts are based on the peak of construction).

With the proposed consolidation of the approved 2007 CIC site plan and changes to West Gate no longer proposed, 40 fewer parking spaces would be provided than the site plan approved following the 2007 CIC Addendum. There would be no changes to the configuration of the existing West Gate or the security post. The entrance from Sir Francis Drake Boulevard would also remain “as is”. The realignment of the 2007 CIC site plan will not result in a change to the number of vehicles projected in the 2005 CIC EIR to utilize this gate to the prison. The 2005 CIC EIR estimated that each staff person resulted in the demand for roughly one parking space, and that the CIC project would result in the demand for 52 additional spaces on-site. A net gain of 54 parking spaces was approved with the 2005 CIC EIR, resulting in a surplus of 2 parking spaces. The 2007 CIC Addendum reduced staffing at SQSP by 143, but did not change parking. Thus, the result of the 2007 modifications was to create a substantial surplus of parking, on the order of 145 spaces. The proposed realignment/consolidation of facilities would reduce the number of parking spaces by 40. A surplus of over 100 spaces would remain. Adequate parking would be provided on-site.

The realignment/consolidation of the approved 2007 CIC site plan and other minor changes to interior buildings would not alter any of the environmental findings and conclusions stated in the EIR. Accordingly, no new significant or substantially more severe transportation effects will occur as a result of the realignment and consolidation of the approved 2007 CIC site plan.

3.2 OTHER CONSIDERATIONS

The modifications to the project would not alter any of the impact significance conclusions, as reported in the EIR. Further, there would be no change in the severity of any of the significant impacts, and no new information requiring additional analysis of impacts. Consequently, there is no need to consider new alternatives to the project, nor the project’s contribution to cumulative or growth-inducing impacts.

4 REFERENCES

Bay Conservation and Development Commission (BCDC). 2009. February 5, 2009 Commission Meeting Summary. February 5, 2009. Date accessed June 15, 2009. http://www.bcdc.ca.gov/meetings/commission/2009/02-05_summary.shtml.

Winzler & Kelly. 2009. Technical Memorandum No. 1, San Quentin Condemned Inmate Complex, June 8, 2009.

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APPENDIX A

BCDC Shoreline Zone Description

San Quentin Condemned Inmate Complex

Prepared For: Gary Jakobs, EDAW AECOM
Prepared By: Racheal Pierce, Winzler & Kelly
Reviewed By: Tim Monroe, Winzler & Kelly
Date: June 24, 2009
Job #: 0258708011

The California Department of Corrections and Rehabilitation (CDCR) retained Winzler & Kelly to provide a realigned/consolidated site plan for the San Quentin Condemned Inmate Complex (CIC) Project Environmental Impact Report Second Addendum. The addendum is to address the realignment required to relocate portions of the CIC project outside of the San Francisco Bay Conservation and Development Commission (BCDC) jurisdiction. The overall CIC project is to realign and consolidate the existing antiquated condemned inmate housing at San Quentin with a more modern, larger and safer maximum security facility and will include construction of maximum security housing units, inmate support and services buildings, visiting areas, clinical and medical services, complex control and operations buildings. The project is planned to include a fully licensed Correctional Treatment Center (CTC). Site improvements will include grading, site utilities, site lighting, paving, fencing, sallyports, and a lethal electrified fence.

As design was completed, the decision to move all improvements out of the BCDC jurisdictional area was made which created many site related changes to the design. As defined by the Government Code section 66610, the area of BCDC jurisdiction is as follows:

1. San Francisco Bay, being all areas that are subject to tidal action from the south end of the Bay to the Golden Gate (Point Bonita- Point Lobos) and to the Sacramento River line (a line between Stake Point and Simmons Point, extended northeasterly to the mouth of Marshall Cut), including all sloughs, and specifically, the marshlands lying between mean high tide and five feet above mean sea level; tidelands (land lying between mean high tide and mean low tide); and submerged lands (land lying below mean low tide).
2. A shoreline band consisting of all territory located between the shoreline of San Francisco Bay as defined in item 1. of this section and a line 100 feet landward of and parallel with that line, but excluding any portions of such territory which are included in 1., 3., and 4. of this section; provided that the Commission may, by resolution, exclude from its area of jurisdiction any area within the shoreline band that it finds and declares is of no regional importance to the Bay.

To determine the 100' inland from the mean high water the tidal datum for Point San Quentin Tide Station number 9414873 was utilized from the U.S Department of Commerce, National Oceanic and Atmospheric Administration (NOAA). The below information was shown on the Bench Mark Sheet for Point San Quentin provided by NOAA:

Elevations of tidal datums referred to Mean Lower Low Water (MLLW), in METERS:

MEAN HIGHER HIGH WATER (MHHW)	= 1.762
MEAN HIGH WATER (MHW)	= 1.578
MEAN TIDE LEVEL (MTL)	= 0.951
MEAN SEA LEVEL (MSL)	= 0.937
MEAN LOW WATER (MLW)	= 0.324
MEAN LOWER LOW WATER (MLLW)	= 0.000
NORTH AMERICAN VERTICAL DATUM-1988 (NAVD)	= -0.051

National Geodetic Vertical Datum (NGVD 29)

Bench Mark Elevation Information In METERS above:

Stamping or Designation	MLLW	MHW
6 1936	10.585	9.007

The vertical datum for the survey of San Quentin CIC is based on the Bench Mark VM 8469 (HT1047 and Stamping 6 1936)) with an elevation of 9.83 meters in NGVD 29. This bench mark is shown on the Bench mark sheet from NOAA and shows the bench mark elevation information in meters above MHW for the bench mark as 9.007. Thus, the elevation for the MHW in NGVD 29 is 0.823 meters or 2.71 feet.

To verify the findings, information in an EIR from the City of Larkspur located near the San Quentin Prison site was referenced. That EIR stated that the MHW in NGVD datum was 2.47 feet for the City of Larkspur utilizing the Tide Station 9414874, Corte Madera Creek gauge.

The final verification of the findings was based on the Vertical Datums Transformation Tool 2.2.4 developed by NOAA. This program converts vertical datums including, tidal datums, orthometric datums, and ellipsoidal datums. The input information is the bench mark utilized for the CIC topographic survey Bench Mark VM 8469 with an elevation of 32.26 feet in NGVD 29. The appropriate input information was verified by Jason Woolard of NOAA showing that at that benchmark the output elevation for the Mean High Water in NGVD 29 is 34.96 feet. Thus the elevation for the Mean High Water at the shoreline is 2.71 feet.

For the purpose of developing the graphics presented, the 100 foot offset was taken from the 3 foot contour. Using the three foot contour provides some security that the new development will not encroach within the BCDC jurisdiction zone.

Vertical Datums Transformation Tool 2.2.4

Choose an Area: California - San Francisco Bay Vicinity, Version 01

Tidal Transf. Grid Folder: C:\Documents and Settings\RPierce\Desktop\vdatum\VDatum_main\CAsanfrb01_8301

Datum Information

Horizontal Datum:
NAD 83 (NSRS2007/CORS96/HARN), WGS84, ITRF

Input Vertical Datum:
MHW - Mean High Water

Output Vertical Datum:
NGVD 29

Geoid: (required)

Height Units: meter feet

Height/Sounding: Height Sounding

Point Conversion

Input		Output
Latitude:	37 56.7	37.945000
Longitude:	122 28.5	-122.475000
Height:	32.26	34.9686

Convert Reset

Coordinate System

Geographic (Latitude, Longitude)

UTM - Zone : North Hemisphere

File Conversion

File(s) Format

☒ With ID Key (GIS data) ☒ Latitude Longitude ☐ Longitude Latitude

Input File(s):

Output File or Folder:

☒ Save output data as in geographic coord. system

Convert

Vertical Datums Transformation Tool 2.2.4

Choose an Area: California - San Francisco Bay Vicinity, Version 01

Tidal Transf. Grid Folder: C:\Documents and Settings\RPierce\Desktop\vdatum\VDatum_main\CAsanfrb01_8301

Datum Information

Horizontal Datum:
NAD 83 (NSRS2007/CORS96/HARN), WGS84, ITRF

Input Vertical Datum:
MHW - Mean High Water

Output Vertical Datum:
NGVD 29

Geoid: (required)

Height Units: meter feet

Height/Sounding: Height Sounding

Point Conversion

Input		Output
Latitude:	37 56.7	37.945000
Longitude:	122 28.5	-122.475000
Height:	0	2.7086

Convert Reset

Coordinate System

Geographic (Latitude, Longitude)

UTM - Zone : North Hemisphere

File Conversion

File(s) Format

☒ With ID Key (GIS data) ☒ Latitude Longitude ☐ Longitude Latitude

Input File(s):

Output File or Folder:

☒ Save output data as in geographic coord. system

Convert

APPENDIX B

Project Approval Documentation

STATE OF CALIFORNIA – DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE OF DETERMINATION

TO: OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 212
SACRAMENTO, CA 95814

FROM: DEPARTMENT OF CORRECTIONS
AND REHABILITATION
9838 OLD PLACERVILLE ROAD, SUITE B
SACRAMENTO, CA 95827

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

PROJECT TITLE:

Condemned Inmate Complex, San Quentin State Prison
2009 Addendum for the Realignment/Consolidation of
the 2007 Approved Site Plan

STATE CLEARINGHOUSE NUMBER:

2003122003

PROJECT LOCATION:

San Quentin State Prison
100 Main Street
San Quentin, California

DEPARTMENT CONTACTS:

Robert Sleppy, Deputy Director, or
Nancy MacKenzie, Environmental Services Branch
Facilities Planning, Construction and Management

PROJECT COUNTY:

Marin County

PHONE NUMBERS FOR CONTACTS:

Robert Sleppy (916) 255-1141
Nancy MacKenzie 916-255-2159

PROJECT DESCRIPTION:

The CDCR has prepared and adopted a second addendum to the 2005 EIR for the proposed Condemned Inmate Complex (CIC) at San Quentin State Prison. The 2009 CIC Addendum addresses the realignment and consolidation of the approved 2007 CIC site plan (as described in the 2007 CIC Addendum) so as to remove all elements of the proposed CIC facility from a 100-foot shoreline zone of the state prison property. The subject shoreline zone is the area within the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC). The 2009 CIC Addendum also documents other minor changes to support buildings on the prison grounds associated with the project. No other changes to the scope of the project described in the approved 2007 CIC Addendum have been made to the project.

Realignment of the approved 2007 CIC site plan was accomplished by the consolidation and re-positioning of elements of the CIC project that would otherwise be situated within BCDC's shoreline jurisdictional zone. The 2009 CIC Addendum also documents the elimination of some planned improvements within the BCDC jurisdiction, including but not limited to 1) resurfacing of the existing perimeter access road, 2) a portion of the underground sewer line proposed within the shoreline zone, 3) a new West Gate guard house and weapons locker, and 4) the enclosure of the shoreline section of an existing storm drain channel into a fully-enclosed underground storm water discharge pipeline. In addition, a guard tower that was proposed within the BCDC shoreline zone and another guard tower that was proposed outside the perimeter fence of the eastern boundary of the 2007 CIC site plan would be shifted inside the revised boundary of the project. As noted above, the 2009 CIC Addendum also documents other minor changes to support and warehouse facilities within the project site.

This is to advise that the California Department of Corrections and Rehabilitation, as lead agency, has approved the above-described project on June 26, 2009, and has made the following determinations regarding the project, pursuant to CEQA Guidelines Section 15164:

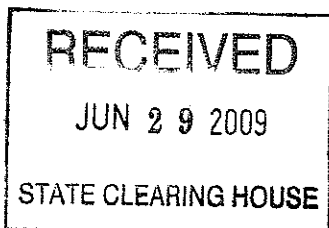
1. An EIR was prepared for the CIC project (SCH No. 2003122003) and certified, and the project was approved by CDCR, in 2005. An addendum to the project EIR was prepared and adopted in 2007. Together, the 2005 CIC EIR and 2007 CIC Addendum to the 2005 CIC EIR constitutes the CIC EIR. CDCR has considered the information provided in the 2009 CIC Addendum prior to making a decision on the project.
2. The CIC EIR remains valid for assessing and mitigating identified impacts that would occur as a result of the project. CDCR finds that the realignment of the site plan and the other related minor changes to the interior of the approved site plan will consist of only minor changes to the project's existing approved environmental documentation. The subject changes will not result in any new significant or substantially more severe environmental effects identified in the project's environmental documentation. CDCR therefore finds that because of the minor nature of the subject changes to the plan that none of the conditions in CEQA Section 21166 or CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR or a supplement to an EIR have occurred. Accordingly, the lead agency finds that an addendum is the appropriate environmental document to describe and assess the realignment of the approved CIC project.
3. The lead agency finds that the 2009 CIC Addendum was prepared for this project pursuant to CEQA Guidelines Section 15164.
4. Mitigation measures have previously been made a condition of the approved CIC project; the realignment of the site plan and other minor changes to the project do not result in the need for new mitigation measures, nor do they result in changes to or the deletion of any previously adopted mitigation measures.
5. The project will have no effect on fish and wildlife, and filing fees are not required under the California Fish and Game Code.

This is to certify that the 2009 CIC Addendum and record of project approval are available to the general public at: CDCR, Facilities Planning, Construction and Management, 9838 Old Placerville Road, Suite B, Sacramento, CA 95827. Contact Nancy MacKenzie, Chief, Environmental Planning Section at (916) 255-2159 for copies of the 2009 CIC Addendum.

Date Received for Filing:

Matthew L. Cate

MATTHEW CATE, Secretary
California Department of Corrections and
Rehabilitation



OFFICE OF THE SECRETARY

P.O. Box 942883
Sacramento, CA 94283-0001



Statement of Decision
San Quentin State Prison Condemned Inmate Complex Project
Adoption of 2009 Addendum
Approval of Realignment and Other Minor Changes to Approved Site Plan

The California Department of Corrections and Rehabilitation (CDCR) is responsible for operation of San Quentin State Prison (SQSP). Pursuant to the requirements of the California Penal Code, all male condemned inmates (with rare exceptions) are to be housed at SQSP. Housing for the condemned inmate population at SQSP has been severely overcrowded for many years, with condemned inmates housed in facilities not designed for this population. This overcrowding has resulted in operational concerns, including the safety of correctional officers and inmates, inadequate programming space, and the ability to continuously accept new condemned inmates.

To address the overcrowding problem, CDCR certified in May 2005 an environmental impact report (EIR) for and approved the Condemned Inmate Complex (CIC) at SQSP Project. In November 2005, at the direction of the State Public Works Board, CDCR reduced the size of the CIC project and retained one of the existing inmate housing units that was proposed for conversion to warehousing and support services facilities. An addendum to the CIC project EIR was prepared that concluded there would not be any new or more significant environmental effects. The 2007 Addendum was subsequently adopted and the project was re-approved by CDCR in April 2007.

Portions of the approved CIC project, along with other facilities at SQSP, are situated along the shoreline of the San Francisco Bay within the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC). BCDC is responsible for ensuring that projects within its jurisdiction provide maximum feasible public access. However, public entry to the site of the CIC has been restricted for several decades due to its use as a state prison. Because the CIC project would not alter these existing access restrictions the 2005 CIC EIR concluded that the project would not have a significant effect related to BCDC public access laws and regulations. Regardless of these historic restrictions, CDCR was still required to obtain a BCDC development permit for all elements of the project situated within the 100-foot shoreline zone of BCDC jurisdiction.

During the period between April 2007, when CDCR initially sought a BCDC development permit, and February 2009 the Department worked closely with BCDC staff and the Commission on recommendations for public access improvements and/or "in lieu" funding as a condition of issuing a development a permit for the project. By February 2009, despite the support of BCDC staff, it became clear to CDCR that the Commission would seek a substantially higher amount of in lieu public access funding than was allocated in the CIC's construction authority. The Department was also concerned that the Commission would decline to approve a development permit for the CIC even if the in lieu funding were increased.

With the condemned population continuing to grow and the housing and security conditions for the condemned population remaining unchanged, the CIC project continues to be a high priority

for the Department. Given the on-going uncertainty of securing a permit from BCDC, the state's current budgetary challenges, and the urgency of proceeding with the CIC, CDCR has determined that its only prudent course is to realign affected portions of the project's site plan so as to remove all proposed improvements from the area subject to BCDC jurisdiction.

CDCR has prepared an environmental assessment of a proposal to realign/relocate all features of the approved CIC project that are situated within or cross the zone of BCDC jurisdiction. The environmental assessment also documents other minor changes to the interior of the CIC site. After thorough evaluation, CDCR determined that the differences between the CIC project, as described in the 2005 CIC EIR and the subsequent 2007 CIC Addendum, and the 2009 realigned site plan require the preparation of a second addendum (California Environmental Quality Act (CEQA) Guidelines, Section 15164[a]). This new assessment, the 2009 CIC Addendum, documents that the nature of the changes that will result from realignment and consolidation of the previously approved site plan do not meet the threshold for preparation of a supplemental EIR in accordance with CEQA Section 21166 or CEQA Guidelines Sections 15162 and 15163.

As described in the 2009 CIC Addendum, the realignment of the project will not result in any new significant environmental effects or substantially increase the severity of previously identified effects. No new information of substantial importance has arisen that demonstrates that the project would have new or substantially more severe significant effects, that mitigation measures or alternatives previously found to be infeasible would now be feasible, or mitigation measure or alternatives that are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment.

CDCR therefore finds that because minor changes to the CIC EIR, as modified by the 2007 Addendum, are necessary to accommodate the realigned and consolidated project site plan but that none of the conditions in CEQA Section 21166 or CEQA Guidelines Sections 15162 and 15163 calling for preparation of a subsequent EIR or a supplement to an EIR have occurred, an addendum is the appropriate environmental assessment to document the 2009 changes the CIC project site.

I have reviewed the 2009 CIC Addendum and find that it fully addresses the potential environmental effects associated with the realignment and consolidation of the previously approved CIC site plan. I find further that the 2009 CIC Addendum meets all the requirements of the California Environmental Quality Act and CEQA Guidelines. In my capacity as Secretary of the California Department of Corrections and Rehabilitation I hereby adopt the 2009 CIC Addendum and approve the proposed realignment and other minor changes to the CIC project as described in the 2009 CIC Addendum.



MATTHEW L. CATE
Secretary

6/26/09

Date of Adoption and Approval